Conclusion

13

The application proposes the development of a vibrant rural village community of distinctive character which is renowned for its sense of community, design excellence, mix of village housing, contribution to local employment and its conservation approach.

We believe that the proposal represents a more sustainable form of rural development than rural residential subdivisions or ad hoc additions to existing settlements. It is also a much needed alternative to the continued spread of coastal development in the Tweed.

This application is for:

1. A staged development under Clause 83 of the Environmental Planning and Assessment Act 1979;

2. Concept proposals for Nightcap village in the form of a Draft component of the Development Control Plan; and

3. In-principle agreement to the subdivision of three Village master lots and necessary infrastructure to serve the Village.

The application also seeks:

4. An amendment to the Tweed LEP to allow building on lots of less than 450m2 within the Nightcap Village boundary or the approval of a SEPPI objection to allow this to occur.

We believe that approval of the concept proposal is justified. Our assessment is that the concept proposal satisfies the planning and environment framework for the local area and the region in that:

I. The land is designated as an "Urban Area" under the Draft Far North Coast Strategy. A central aim of the Strategy is to develop a "region of villages."

II. The proposed form of development is entirely in keeping with the sustainable development philosophy contained in the Tweed Strategic Plan – Tweed 4/24.

III. The land to be developed for Nightcap Village is zoned for the purpose – i.e. Residential 2(d) Village under the Tweed LEP.

IV. The proposed Nightcap Development Control Plan sets an orderly and proper framework for the development of the Village. Detailed Precinct Plans are required before any development can take place.

V. The Village design principles are very much in step with the principles contained in council's Subdivision Manual (DCP 16) including: linked neighbourhoods; an emphasis on pedestrian movement; the protection of natural assets; variety in housing types; and, the minimisation of Council and other public costs in servicing the development.

VI. The Planning Assessment in Chapter 7 indicates that development is expected to comply with the important provisions of Council's Development Control Plans. Where conflicts may arise the Draft Nightcap Village DCP requires:

- documentation of any variations to Council DCP standards, and
- the submission of detailed designs for more intensive forms of Village housing and mixed use.

VII. The Socio-economic assessment in Chapter 8 concludes that the development will provide considerable local employment (230 full-time jobs), will support local businesses and services and arrest population decline in the area.

VIII. The Environment al Assessment in Chapter 9 indicates that the concept proposal is a responsible environmental framework for the preparation of detailed precinct plans, given that:

- The natural terrain points to a logical pattern of site development, conservation and rehabilitation.
- There is an opportunity to significantly increase koala habitat and riparian vegetation on the Village site and protect the endangered Green-leaved rose walnut.
- The proposed development area is flood free except for a minor cut and fill requirement.
- Bushfire management objectives can be met and the loop road system provides good emergency site access.
- Stormwater runoff and water quality impacts can be managed in three self-sufficient stages.

IX. Water and sewerage infrastructure can be provided as part of a sustainable water cycle management approach (Chapter 10). This involves the collection of all roof rainwater in tanks for household use, stormwater collection in supplementary water storages, the tertiary treatment of sewerage effluent using a membrane treatment plant, and, the reuse of stormwater and treated effluent for woodlot, landscaping and market garden irrigation.

X. Village traffic can be safely accommodated by a roundabout within the Kyogle Road reserve (preferred) or by a T-junction with a 60kmh limit on either side. A new road access to the east will provide an efficient and safe loop road system for the Village. A substantial development contribution will be required for the general upgrading of Kyogle Road.

XI. Electricity and telecommunication facilities are available to the site.

XII. Importantly, surrounding land in common ownership provides the opportunity for an entirely complementary conservation and eco-tourism setting for the Village.

The Nightcap Team is well aware that the concept proposal needs detailed work and the resolution of many design and practical issues before development works can be approved.

However, the Nightcap Village proposal is a genuine attempt to establish a sustainable rural settlement using a holistic approach to development, conservation and infrastructure provision.

1.

APPENDIX 1

Nightcap Village Concept Plan

(Draft Component of the Development Control Plan)

NIGHTCAP VILLAGE CONCEPT PLAN

Concept Proposals for the Development of the Site

Under Clause 83 of the EP&A Act 1979

(Draft Component of the Development Control Plan)

Prepared for Nightcap Village Pty Ltd by

Urban Systems

August 2006

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1. Introduction

1.1 NAME OF THE PLAN

The name of this plan is the Tweed Development Control Plan Nightcap Rural Village Concept Plan.

1.2 APPLICATION

The plan applies to the area zoned as 2(d) Village Residential as shown in **Figure 1** and known as the Nightcap Rural Village.

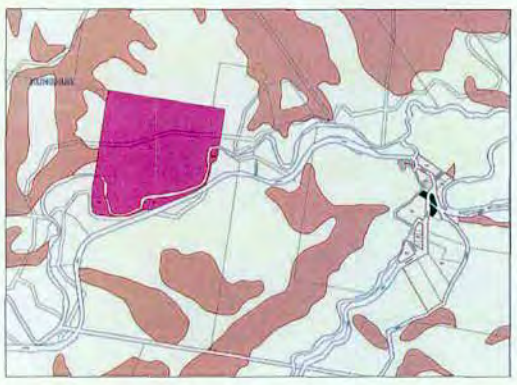
The plan also applies to land outside the Village boundary which is used for the following purposes:

- sewerage treatment plant;
- recycled water disposal;
- water storage;
- market gardening;
- easements associated with the above;
- bushfire protection.

1.3 STATUS

This Plan applies to all development on public and private land in Nightcap Village including:

- building on small lots;
- the development of integrated housing and multi-unit housing;
- land subdivision;
- development of community uses;
- commercial and employment development;
- development in parks;
- service infrastructure including roads.



1.4 PURPOSE OF THE PLAN

The purpose of this Plan is to enable Nightcap Village to be developed as a vibrant rural village and in a way which minimises environmental impact.

1.5 AIMS OF THE PLAN

The aims of the Plan are to:

- Provide for the orderly and proper development of Nightcap Village in stages.
- Implement the intent of the Draft Far North Coast Regional Strategy.
- Implement the objectives and provisions of the Zone 2(d) – Village as contained in the Tweed LEP.
- Encourage a mix of housing in the Village.
- Encourage a range of employment opportunities in the Village.
- Develop a distinctive development style based on traditional village values but in contemporary building vernacular.
- Encourage the development of a sustainable Village which has a high degree of self-sufficiency.

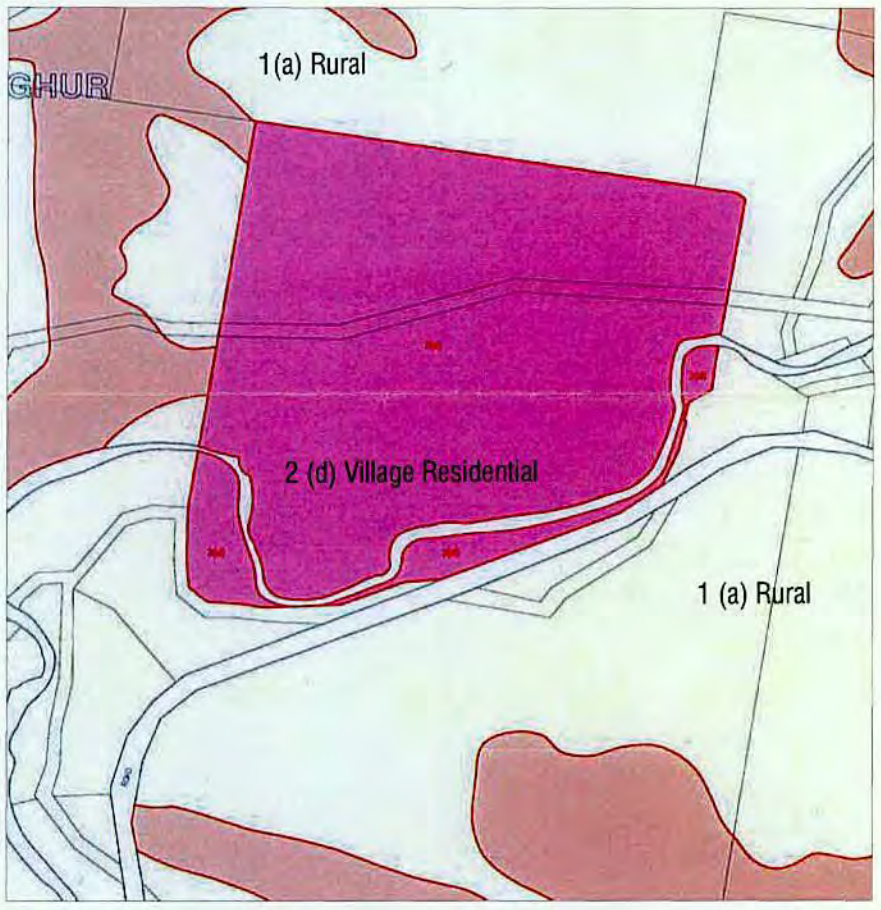


FIGURE 1
Nightcap Village Zone Boundary
Tweed Shire Council
Local Environment Plan 2000

1.6 RELATIONSHIP TO OTHER PLANS

This Plan has been prepared in accordance with the requirements of:

- Section 83B and 83C of the Environmental Planning and Assessment Act (EP&A Act);
- Section 72 of the EP&A Act; and,
- Part 3 of the Environmental Planning and Assessment Regulation.

The Plan came into effect on (date to be inserted) in accordance with Clause 21(4) of the Regulation.

This Plan establishes the planning framework for the development and conservation of Nightcap Village and supplements the provisions of the Tweed LEP 2000. The plan also draws on the content of the Draft Far North Coast Regional Strategy (Department of Planning 2006).

The Tweed LEP 2(d) Village Residential zone provides the statutory framework for the Nightcap development. Within the zone this Plan provides guidance for development and planning decisions through Precinct Objectives and Acceptable Solutions.

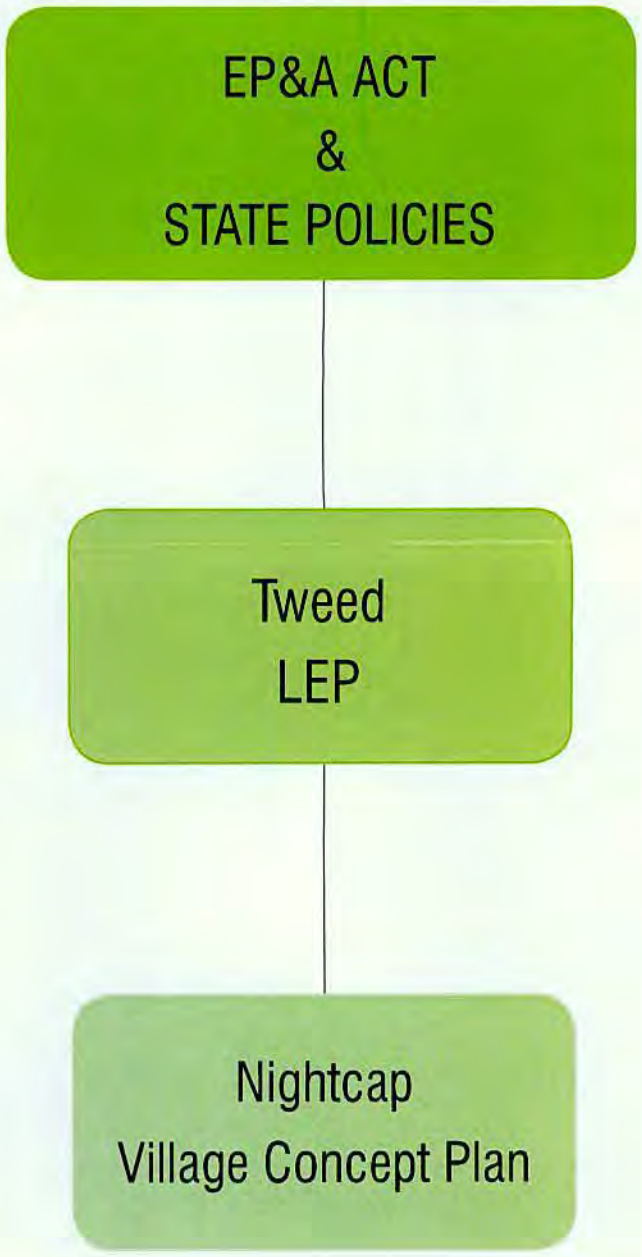
Design detail will be provided by individual plans for Precincts within Nightcap Village. Design detail will be guided by the Objectives and Acceptable Solutions for each Precinct which are contained in this Plan.

To encourage good overall design and utilise the body of knowledge held by Council, it is important that linkages are made between this Plan and other components of the Tweed DCP including:

- DCP No.2 – Parking Code
- DCP No.5 – Flood Liable Land
- DCP No.6 – Multi-Dwelling Housing
- DCP No.16 – Subdivision Manual
- DCP No.26 – Child Care Centres
- DCP No.29 – Energy Smart Homes
- DCP No.47 – Cut and Fill on Residential Land

Reference to these DCP's is made in the Plan but in the event of any inconsistency between this Plan and other development control plan components, policies and codes, this Plan prevails.

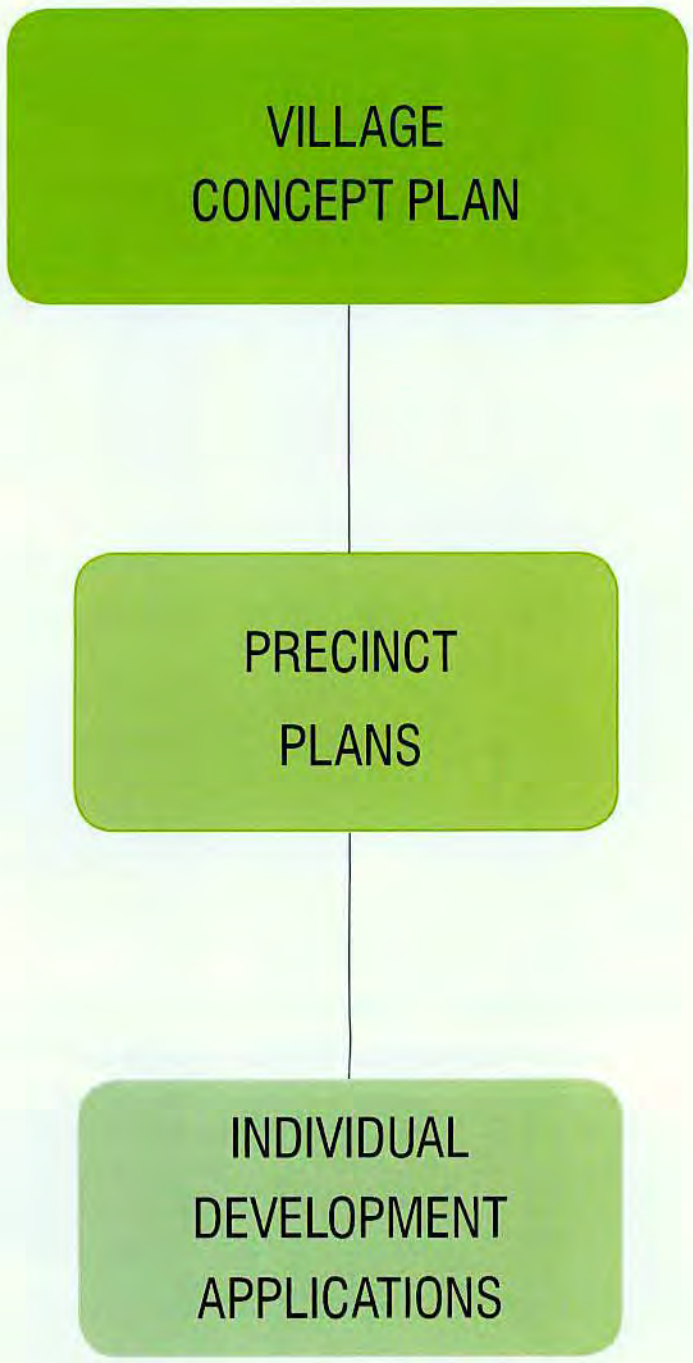
State Environmental Planning Policies and Regional Environmental Plans may apply to the land to which this plan applies now or at some time in the future. Where this occurs, the statutory provisions of those policies and plans prevail over this plan.



1.7 USING THE PLAN

This plan sets the objectives and general parameters for the development of Nightcap Village through:

- The **Village Concept Plan** including the delineation of Precincts and Concept Plan objectives.
- **Precinct** intents, objectives and acceptable solutions. These set the framework for Precinct development and the preparation and approval of detailed **Precinct Plans** and development applications. A development application may include a Precinct Plan.
- A **Development and Infrastructure Staging Plan** for the Village to ensure the sequential and orderly provision of infrastructure, services and development.
- The delineation of **Master Lots** which can be developed separately provided that a Precinct Plan has been prepared and proposed development is generally in accord with the Staging Plan.
- A **Management Plan** which sets out requirements as to the responsibility and provision of infrastructure and other matters including land outside the Nightcap Village boundary but which contributes directly to the servicing or amenity of the Village.



1.8 GENERAL PROVISIONS

No development is to occur without the approval of a Precinct Plan except works required for temporary access or infrastructure.

Compliance with the objectives and acceptable solutions will be the overriding consideration when assessing a proposed development.

Variations to numeric provisions will be accepted where the applicant can clearly demonstrate that the objectives and performance criteria will be achieved.

2. Concept Plan for Nightcap Village

2.1 VISION FOR NIGHTCAP VILLAGE

The vision for Nightcap Village is to develop a vibrant rural village community of distinctive character which is renowned for its sense of community, design excellence, mix of village housing, employment activities and conservation approach.

2.2 CONCEPT PLAN OBJECTIVES

The Concept Plan for Nightcap Village as depicted in **Figures 2a and 2b** has the following objectives:

Objective 1 – Accommodate a permanent population of about 1,000 people at Nightcap with provision for up to 450 dwellings.

Objective 2 – Provide a mix of dwelling types and of mixed affordability including detached houses on larger lots, smaller lot housing, semi-attached housing.

Objective 3 – Provide substantial employment in the Village centred on the Main Street and through the provision of mixed use areas, the encouragement of trades and home employment and convention and tourist facilities.

Objective 4 – Encourage a pedestrian environment through paths and links between facilities and visitor car parking outside the village precinct.

Objective 5 – Develop a distinct design vernacular which embraces traditional values but uses contemporary architectural principles, styles and materials.

Objective 6 – Provide a vibrant town centre hub for the Village.

Objective 7 – Preserve and add to significant flora and fauna on the site, particularly along the Tweed River.

Objective 8 – Provide a range of connected passive and active open space for Village residents including a village square, sports oval and a village green.

Objective 9 – Thoroughly integrate Village life and activities with the surrounding landscape through the provision of trails and tracks, a market garden, woodlots and recreational activities on adjacent land.

Objective 10 – Attract interest in rural village living as an alternative to development along the coast.

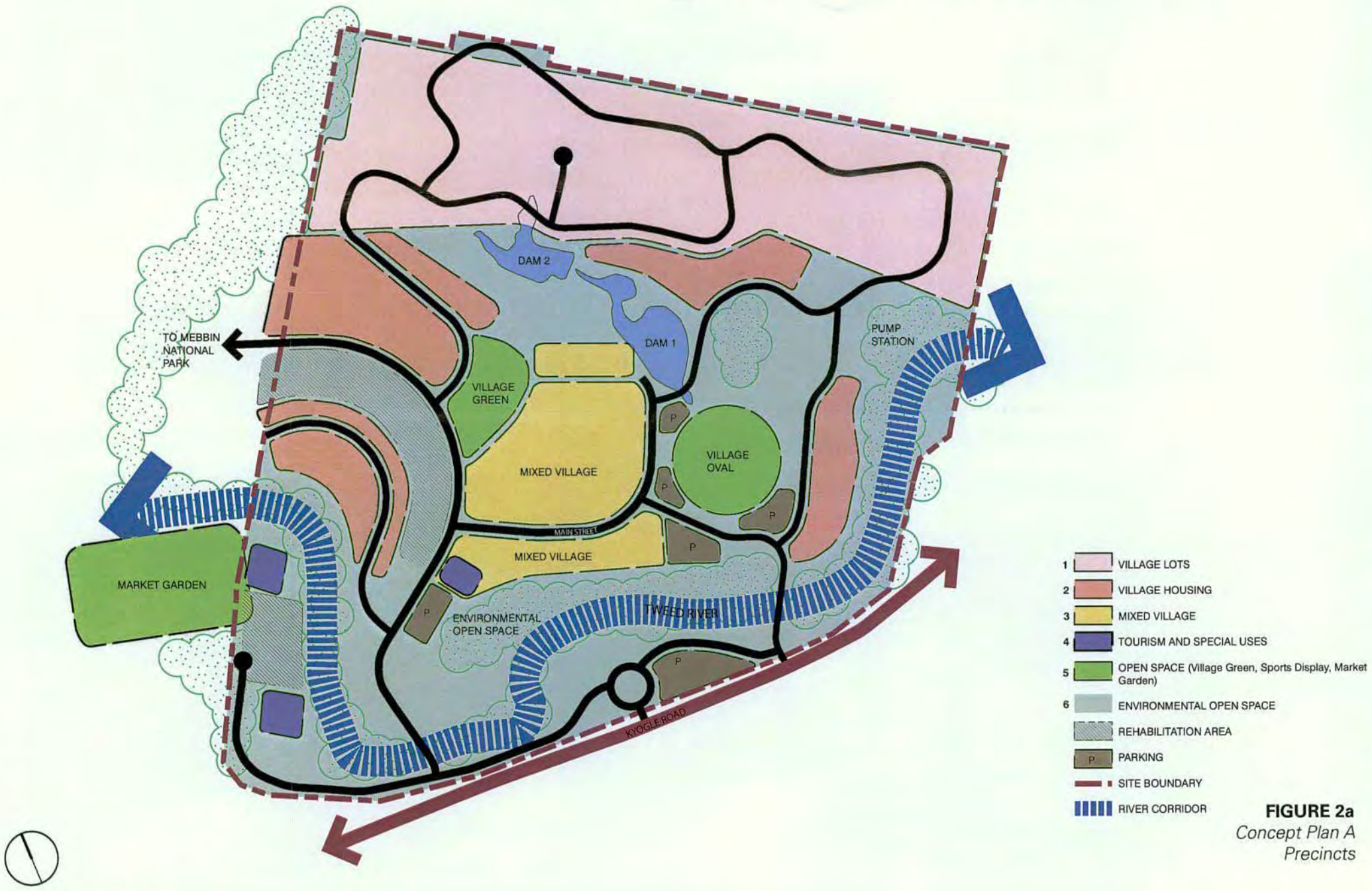


FIGURE 2a
Concept Plan A
Precincts

FIGURE 2b
Concept Plan B
Indicative Development

3. Precinct Intents and Development Guidelines

3.1 PREAMBLE

This section details precinct intents and development guidelines. The development guidelines are in the form of precinct objectives and acceptable solutions.

General design principles for precincts are shown in **Figures 2a** and **2b** (Concept Plans), and in indicative development examples for each precinct.

3.2 PRECINCT 1 – VILLAGE LOTS

Intent

This precinct will accommodate lower density detached housing on individual lots which are well connected to the village centre and open space.

Indicative development for Precinct 1 is shown in **Figure 3.**

PRECINCT 1 OBJECTIVES	ACCEPTABLE SOLUTIONS
1. An attractive lower density village residential environment	1.1 An average lot size of no less than 500m² 1.2 A maximum building height of 8.5 metres, as measured from finished ground level 1.3 A maximum site cover of 50% 1.4 A minimum side setback of 2.0 metres excluding eaves, which may be set back 1.0 metre from side boundaries 1.5 A minimum front setback of 3.0 metres 1.6 Dwelling design generally in keeping with the principles shown in Figure 3 or the indicative dwelling designs contained in a Precinct Plan
2. Integrated development in accordance with a detailed Precinct Plan	2.1 An approved Precinct Plan which specifies: • Any required drainage or service easements • The staging of infrastructure and development • The size, number and disposition of lots • A building envelope for lots less than 450m² • The width and design of roads • Indicative house designs, including recommended materials • Areas of open space and connectivity between open space • Landscape treatment of streets, public open space, and any other public areas • Any variation to the standards specified in DCP 16 – Subdivision Manual, or any other relevant Council DCP
3. Low key residential use	3.1 Uses are restricted to: • Predominately detached residential dwellings • Home business and home industry • Recreation facilities • Ancillary activities in keeping with low key residential use • Allowable uses as set down for the 2 (a) Low Density Residential zone in the Tweed LEP 3.2 Any buildings other than detached dwellings are located on collector streets.

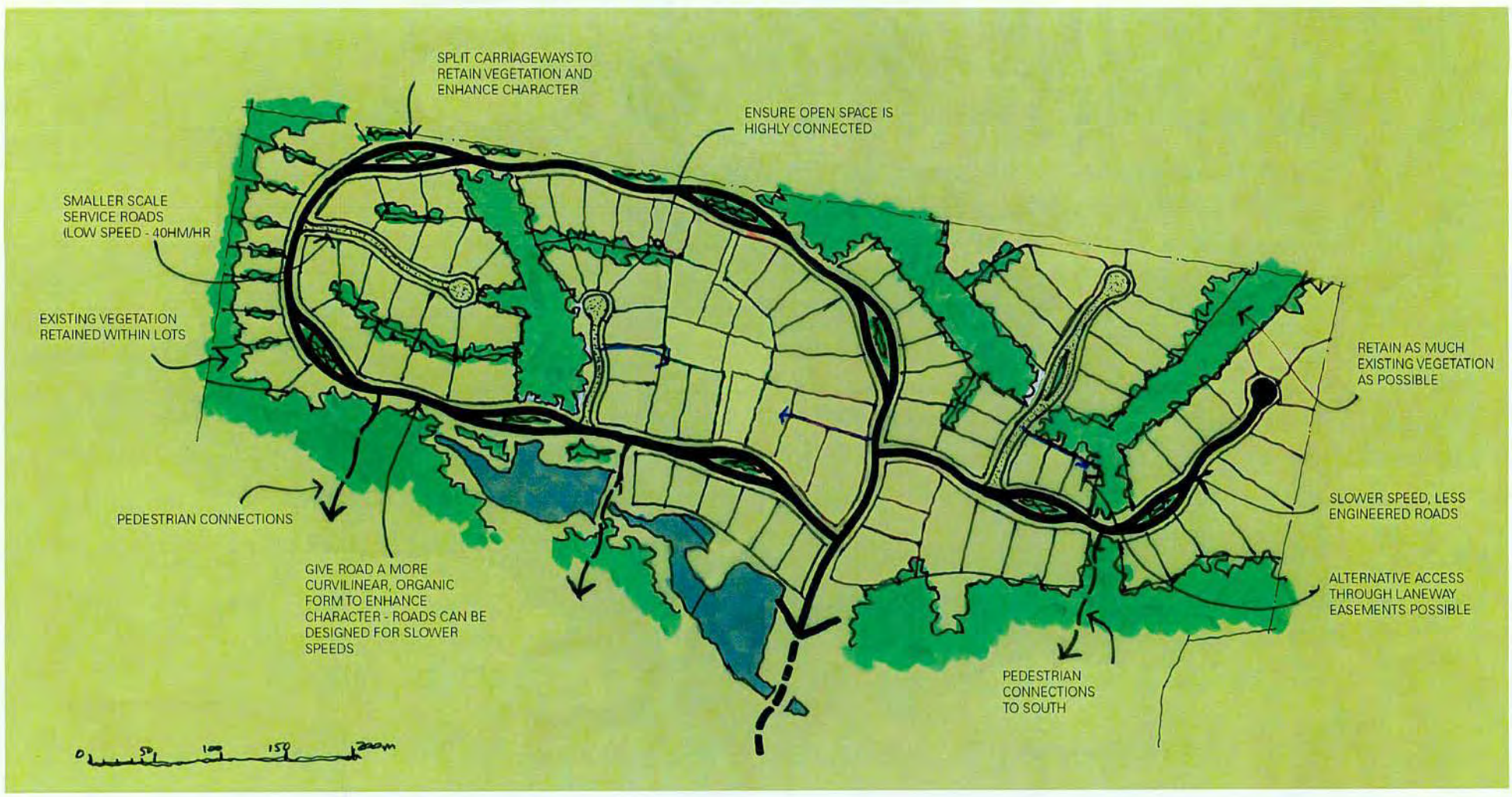


FIGURE 3
Village Lots Precinct
Preliminary Concept

3.3 PRECINCT 2 – VILLAGE HOUSING

Intent

This precinct will accommodate a mix of attached, semi detached and small lot housing designed to complement each other and provide an attractive village streetscape. Village housing is an easy walk from central facilities and services and is close to active and environmental open space.

Indicative development examples for Precinct 2 are shown in **Figure 4.**

PRECINCT 2 OBJECTIVES	ACCEPTABLE SOLUTIONS
1. An attractive two to three storey mixed housing environment with limited three storey buildings	1.1 A maximum floorspace ratio of 0.8:1 1.2 A maximum building height of 9.5 metres as measured from finished ground level 1.3 Compliance with BASIX 1.4 Dwelling design generally in keeping with the principles shown in Figure 4 or the indicative dwelling designs contained in a Precinct Plan
2. Integrated development in accordance with a detailed Precinct Plan	2.1 An approved Precinct Plan which specifies: • Any required drainage or service easements • The staging of infrastructure and development • The size, number and disposition of small lots • A building envelope for lots less than 450m2 • The width and design of roads • Indicative dwelling designs and massing diagrams for attached and semi-detached dwellings including integrated housing and multi-dwelling housing • Preferred building materials and colours for all dwellings • Streetscape elevations for dwelling groupings • Areas of public space and their treatment • Landscape treatment of streets • Location and configuration of common parking areas • Any variation to the standards specified in DCP 16 – Subdivision Manual or any other relevant Council DCP
3. Adequate vehicular parking in keeping with a village environment	3.1 A minimum of one on-site car space per dwelling 3.2 Grouping of visitor car spaces in common parking areas 3.3 Overall parking provision in accordance with DCP2 – Site Access and Parking Code
4. Higher intensity residential use	4.1 Uses generally restricted to: • Mixed residential housing including detached dwellings, integrated housing and multi-dwelling housing • Home business and home industry • Recreation facilities • Ancillary activities in keeping with higher intensity residential use • Allowable uses as set down in Items 1 and 2 of the 2 (d) Village Zone in the Tweed LEP 4.2 Higher intensity residential and other uses are concentrated on collector street frontages.

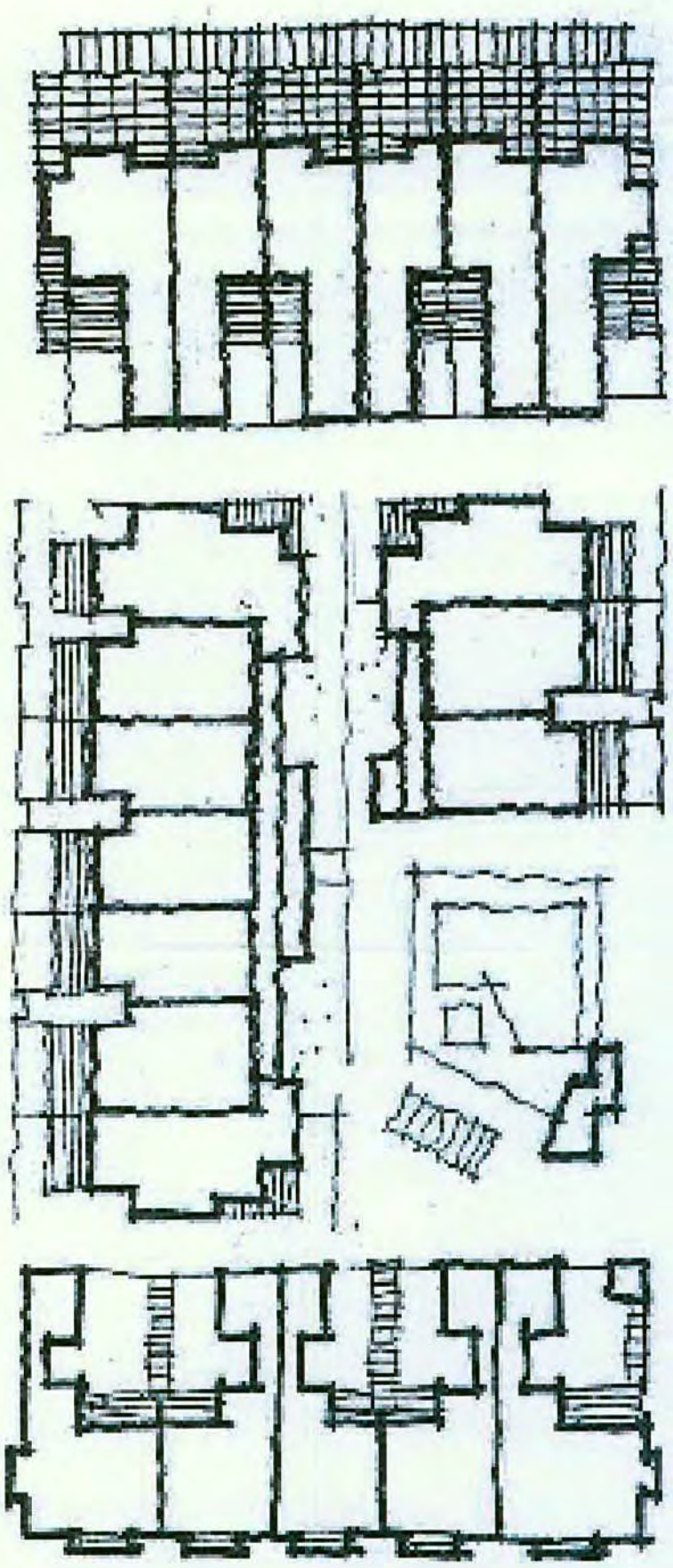


FIGURE 4
Village Housing Precinct
Indicative Development Examples

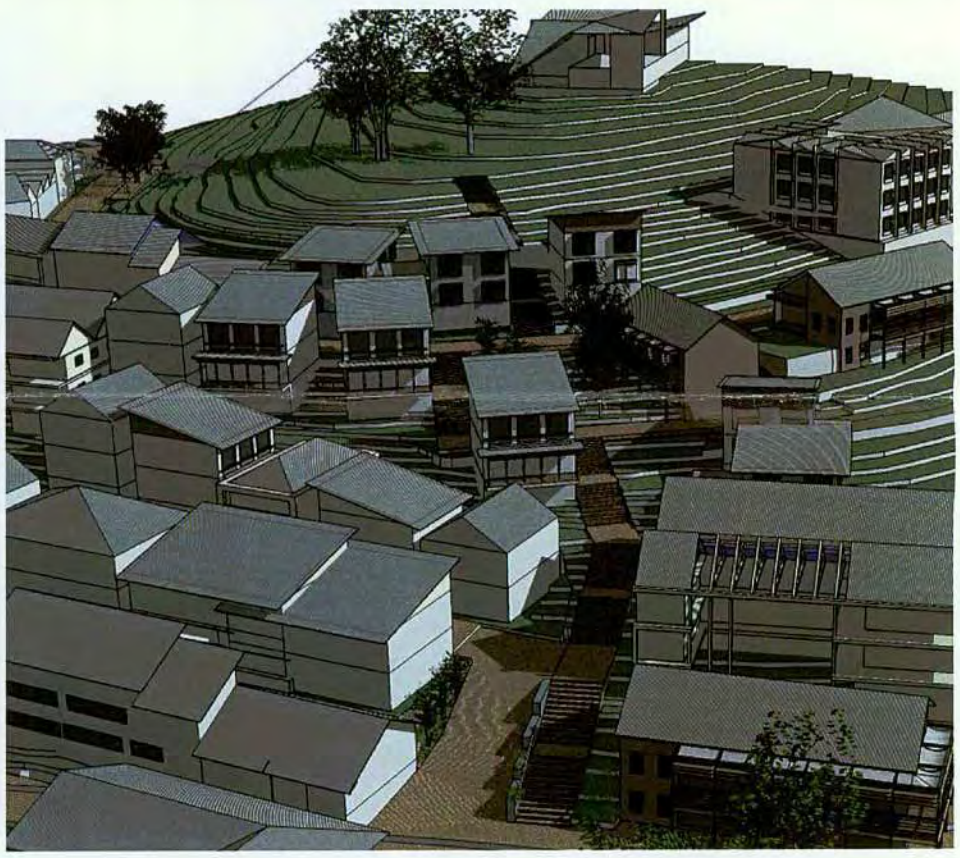
3.4 PRECINCT 3 – MIXED VILLAGE

Intent

This precinct will accommodate a mix of residential, employment, commercial, service and community uses designed to complement each other and provide a vibrant mixed use village atmosphere in the centre of the village.

Indicative development examples for Precinct 3 are shown in **Figure 5.**

PRECINCT 3 OBJECTIVES	ACCEPTABLE SOLUTIONS
1. An attractive two to three storey mixed use environment	1.1 A maximum floorspace ratio of 1.5:1 1.2 A maximum building height of 11.5 metres as measured from finished ground level 1.3 Building to the street frontage 1.4 Compliance with BASIX 1.5 Dwelling design generally in keeping with the principles shown in Figure 5 or the indicative dwelling designs contained in a Precinct Plan
2. Integrated development in accordance with a detailed Precinct Plan	2.1 An approved Precinct Plan which specifies: • Any required drainage or service easements • The staging of infrastructure and development • The size, number and disposition of small lots • A building envelope for lots less than 450m2 • The width and design of roads • Indicative dwelling designs and massing diagrams for attached and semi-detached dwellings including integrated housing and multi-dwelling housing • Preferred building materials and colours for all dwellings • Streetscape elevations for dwelling groupings • Areas of public space and their treatment • Landscape treatment of streets • Location and configuration of common parking areas • Any variation to the standards specified in DCP 16 – Subdivision Manual or any other relevant Council DCP
3. Adequate vehicular parking in keeping with a village environment	3.1 A minimum of one on-site car space per dwelling 3.2 Grouping of visitor car spaces in common parking areas 3.3 Overall parking provision in accordance with DCP2 – Site Access and Parking Code
4. Higher intensity residential and mixed use	4.1 Uses include: • Community use • Home business and home industry • Hotel • Industry • Integrated housing • Multi-dwelling housing • Recreation • Restaurant • Shop • Tourist Accommodation • Allowable uses as set down in Items 1 and 2 of the 2(d) Village Zone in the Tweed LEP 4.2 Higher intensity residential and other uses are concentrated on the Main Street frontage.



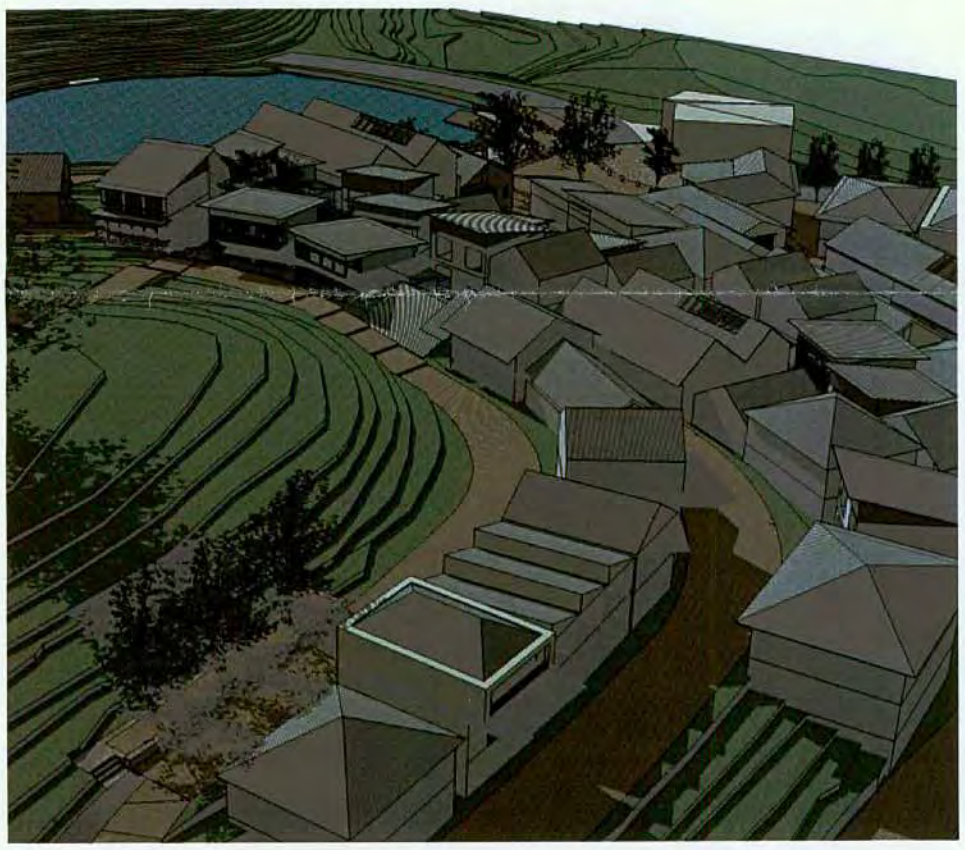


FIGURE 5
Mixed Village Precinct
Indicative Development Examples

3.5 PRECINCT 4 – TOURISM AND SPECIAL USES

Intent

Develop suitable Village sites for tourism and special uses to add to the employment and activity base of the Village and the eco-tourism base of the Mt Warning/Nightcap area.

Indicative development examples for Precinct 4 are shown in **Figure 6.**

PRECINCT 4 OBJECTIVES	ACCEPTABLE SOLUTIONS
1. Special use and tourism facilities add to the employment and ecotourism base for the Village and the area	1.1 Acceptable uses include: • Convention/seminar facilities and associated accommodation • Hotel • Backpackers and tourist accommodation • Health centre 1.2 Significant facilities are located on nominated sites
2. Special use and tourism facilities reflect village character	2.1 Facilities are generally in keeping with the development parameters for the Mixed Village Precinct

FIGURE 6
Tourism and Special Uses Precinct Indicative Uses

3.6 PRECINCT 5 – OPEN SPACE AND THE PUBLIC REALM

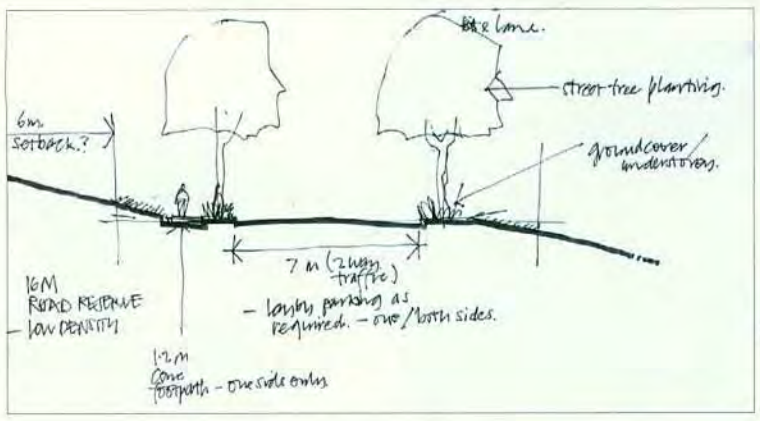
Intent

Open Spaces are developed as passive and active public areas of quality in keeping with their location and function and are well connected.

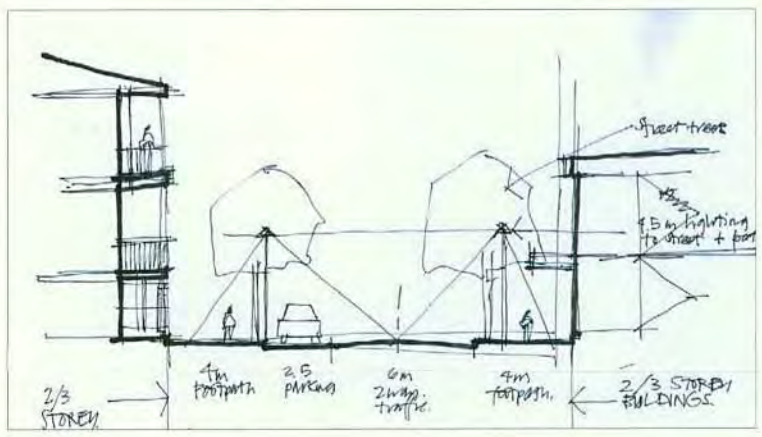
Street landscaping and pedestrian facilities are of distinctive design and reflect the type and intensity of activity fronting them.

These intents are reflected in **Figure 7** – Open Space and Pedestrian Connections together with illustrative examples.

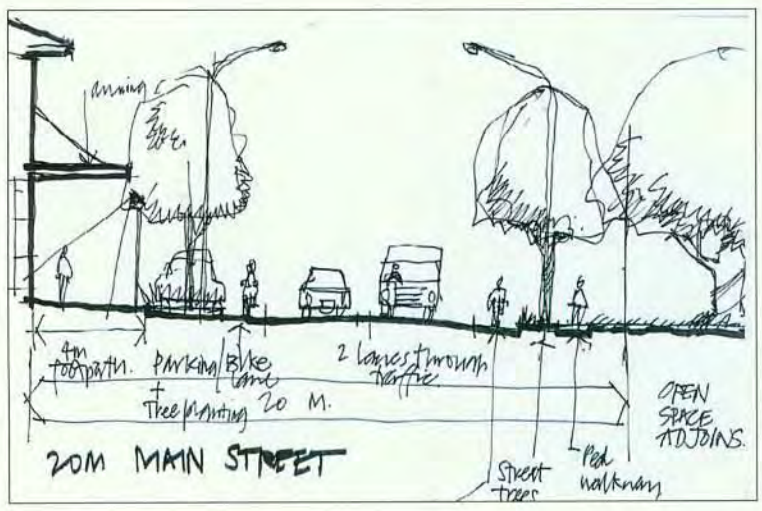
PRECINCT 5 OBJECTIVES	ACCEPTABLE SOLUTIONS
1. The Village Green is developed as the premier passive open space	1.1 Precinct Plans utilise and respect vistas to and from the Village Green and fig trees 1.2 The fig trees and curtilage are protected 1.3 Seating and planting conforms to an integrated design
2. The Village Oval is developed as a multi-purpose active open space	2.1 Uses include: • Active recreation • Markets and fairs • Rallying points for clubs and organisations 2.2 Development including fencing, planting, seating and parking conforms to an integrated design
3. The Town Square is the centre of Village life	3.1 Development including paving, colours and materials and all buildings fronting the Square conform to an integrated design 3.2 Buildings are able to accommodate mixed use around the square
4. The Market Garden provides a communal source of food production	4.1 Development including fencing, plot layout and access conforms to an integrated plan 4.2 All residents have the opportunity to access a plot through body corporate arrangements 4.3 The area is only to be used for food production and ancillary uses eg. storage of produce and machinery
5. Streetscape frontages are active and attractive	5.1 Built to boundary street frontages in the Mixed Village Precinct 5.2 Themed street boulevards in accord with Precinct Plans 5.3 Segregated pedestrian paths on at least one side of streets 5.4 Clear and discreet signage on building facias in accord with sign design guidelines 5.5 Tree and shrub selection guided by "Trees and Shrubs – A Guide for Selection in the Tweed Shire"
6. Water bodies and environs are safe and environmentally stable	6.1 Batter slopes and fencing in accord with ASA and DCP 16 – Subdivision Manual 6.2 Planting of indigenous species along water body edges in accord with an integrated design and management plan 6.3 Water quality is monitored on an annual basis
7. Pedestrians are able to walk easily between open space areas and major activity areas	7.1 Links and pathways are established in accord with Figure 7 – Open Space and Pedestrian Connections or Precinct Plans 7.2 Paths conform to an integrated design



16m Village Lot



17m Residential



20m Main Street

FIGURE 7
Open Space and Public Realm
Indicative Developement Examples

3.7 PRECINCT 6 – ENVIRONMENTAL OPEN SPACE & REHABILITATION

Intent

Environmental open space areas along the Tweed River and along smaller watercourses are protected, nurtured and buffered from adjacent development. Areas nominated for rehabilitation are replanted with indigenous species.

Environmental open space and rehabilitation areas are shown in **Figure 2a.**

PRECINCT 6 OBJECTIVES	ACCEPTABLE SOLUTIONS
1. Plant out and protect environmental open space	1.1 Adherence to the recommendations of the Ecological Assessment and Environmental Management Plan for Nightcap Village (Cardno July 2006) 1.2 Management in accord with an approved Plan of Management 1.3 Uses may include: • Forestry • Bushfire hazard reduction • Limited recreation including a walking trail along the north side of the Tweed River • Passive recreation facilities such as seating, barbeques • Utility pump stations
2. Rehabilitate steep or otherwise undevelopable areas of the site	2.1 Planting and maintenance in accord with a rehabilitation plan 2.2 Planting with indigenous species and guided by "Trees and Shrubs – A Guide for Selection in the Tweed Shire"

3.8 MOVEMENT, ACCESS AND PARKING

Intent

A safe, pedestrian oriented village environment where car access is available and safe, but car trips are not encouraged. Car parking for visitors is grouped in strategic locations.

OBJECTIVES	ACCEPTABLE SOLUTIONS
1. Encourage pedestrian/bicycle movement	1.1 Develop pedestrian linkages in accord with Figure 7 – Open Space and Pedestrian Linkages
2. Promote a safe car environment and reduce the impact of visitor car movements	2.1 Develop car parks in accord with Figure 2 – Concept Plan so that visitor car parking is grouped in the lower part of the village 2.2 Implement a 40 km/hr speed limit throughout the Village 2.3 Road widths are kept to a minimum to discourage speeding 2.4 Rear lane access supplements street access in Precinct 2 – Village Housing, and in Precinct 3 – Mixed Village 2.5 Two points of access for the Village are provided from Kyogle Road 2.6 Entry/exit statements are provided on Kyogle Road 2.7 Street and driveway access design conforms with DCP 16 – Subdivision Manual or an approved Precinct Plan
3. Parking provision is matched to the intensity of development and is unobtrusive	3.1 Parking provision conforms with the provisions of DCP 2 – Site Access and Parking Code, or an approved Precinct Plan 3.2 Garages, driveways and parking structures do not dominate the street frontage

3.9 FLOODING, LANDSLIP AND BUSHFIRE MANAGEMENT

Intent

Development is protected from flooding, landslip and bushfire hazard.

OBJECTIVES	ACCEPTABLE SOLUTIONS
1. Development, including infrastructure, is protected from flooding from the Tweed River, watercourses and water storages	1.1 Development and infrastructure conforms to DCP 5 – Flood Liable Land and the Nightcap Village Flood Study (Cardno 2006)
2. Development is not located in areas of potential landslip	2.1 Development on steeper slopes is avoided and conforms to the Nightcap Village Geotechnical Investigations (Cardno 2006)
3. Development is protected from bushfire	3.1 Development conforms with "Planning for Bushfire Protection" (NSW Rural Fire Service), bushfire management requirements contained in DCP 16 – Subdivision Manual and the Bushfire Management Plan for Nightcap Village (Cardno 2006)

3.10 ENVIRONMENTAL PERFORMANCE AND SUSTAINABILITY

Intent

Nightcap Village has minimal impact on its surrounding environment, particularly the Tweed River, and Village infrastructure uses sustainable and cost effective technologies.

OBJECTIVES	ACCEPTABLE SOLUTIONS
1. All buildings employ energy and water saving technology	1.1 Buildings comply with design and energy saving criteria in BASIX and DCP 39 – Energy Smart Homes Policy 1.2 All buildings have rain water tanks with direct plumbing 1.3 Precinct Plans include and encourage energy saving building design including orientation and solar energy collection
2. Stormwater does not adversely impact on the water quality of the Tweed River and tributaries	2.1 Stormwater retention and treatment is based on the Stormwater Concept Plan for Nightcap Village (Cardno 2006) 2.2 A detailed stormwater plan is included in Precinct Plans and for any new individual developments 2.3 Stormwater is collected and reused on-site and on the market garden 2.4 Stormwater system design maximises on-site filtration, stormwater retention and reuse 2.5 Stormwater impact on the Tweed River is monitored annually
3. Effluent treatment prevents adverse impact on the water quality of the Tweed River and tributaries	3.1 Sewerage treatment is to tertiary level by a membrane technology treatment plant 3.2 Treated effluent is disposed to woodlot or other areas designed for the purpose with good separation from the Tweed River 3.3 Treatment plant is anually monitored for performance and woodlot water quality

3.11 LANDS COMPLEMENTARY TO NIGHTCAP VILLAGE

Intent

Land outside the Village boundary and required for water storage, effluent treatment and disposal, utility easements and the market garden, is used for those purposes.

These lands and their purpose are shown in **Figure 8.**

OBJECTIVES	ACCEPTABLE SOLUTIONS
1. Complementary lands are used and managed for their designated purpose	1.1 Complementary lands are used for the designated purpose or for an ancillary purpose to the designated purpose, eg forestry operations in the case of the treated effluent disposal area 1.2 Complementary lands are held in title and managed by the Nightcap Village Body Corporate

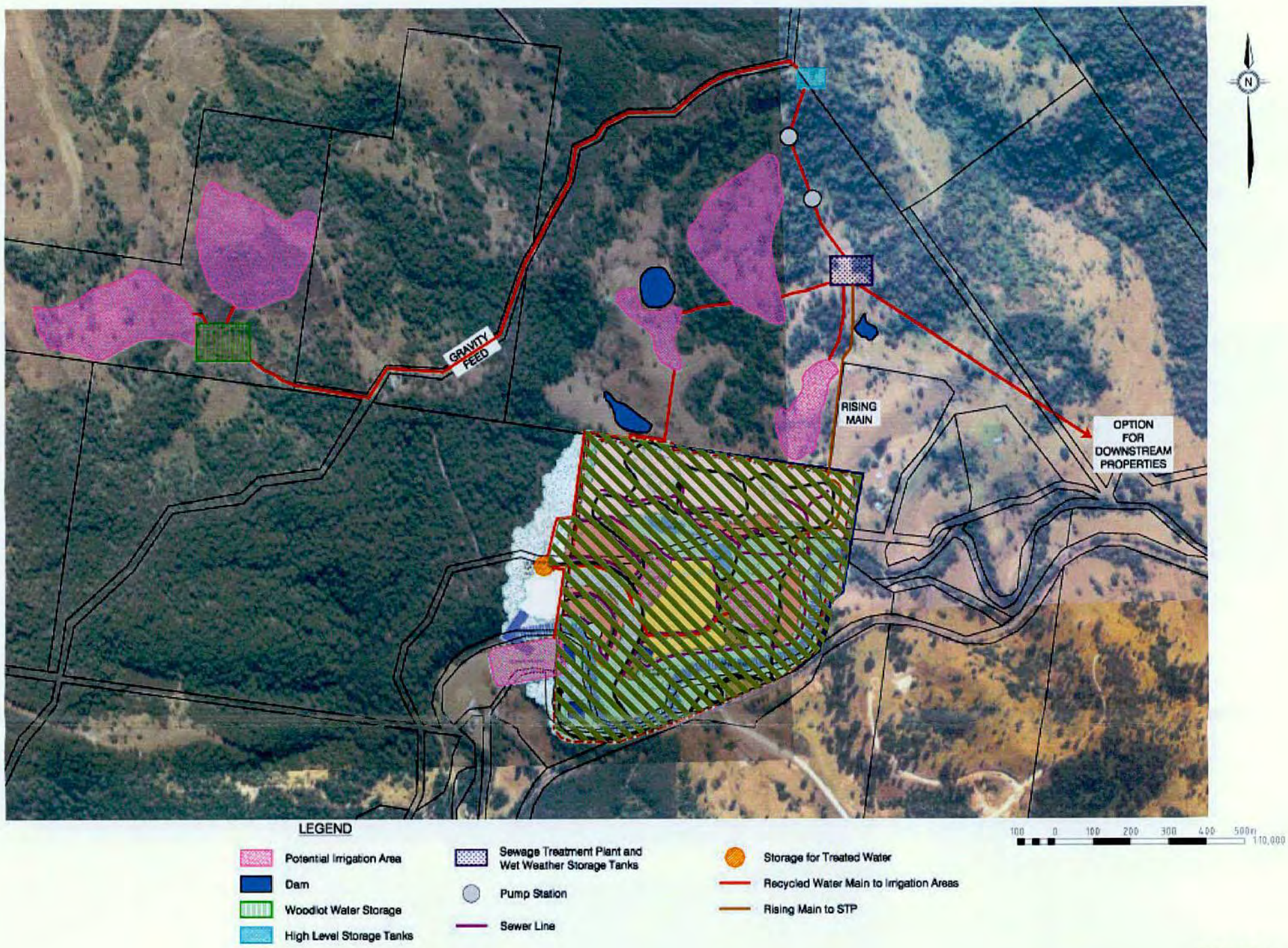


FIGURE 8
Land complementary to Nightcap Village
Uses and infrastructure on land outside the Nightcap Village

4. Development and Infrastructure Staging Plan

4.1 DEVELOPMENT AND INFRASTRUCTURE STAGING PLAN OBJECTIVES

The development and infrastructure staging plan as depicted in **Figure 9** has the following objectives:

Objective 1 – Implement a logical and cost effective development and infrastructure staging sequence.

Objective 2 – Establish essential infrastructure at an early stage of Village development.

Objective 3 – Establish village centre character at an early stage of Village development.

Objective 4 – Minimise the public capital and maintenance cost of infrastructure and facilities.

4.2 INDICATIVE DEVELOPMENT AND INFRASTRUCTURE STAGING SEQUENCE

The development and infrastructure sequence is proposed in three phases as shown in the Table in **Figure 9.**

Most of the essential and major infrastructure components and the basic structure of the town centre are to be established in Stage 1.

The infrastructure sequence within each stage is indicative and will depend on weather, contract arrangements and other relevant factors.

4.3 TIMING OF DEVELOPMENT AND INFRASTRUCTURE

The timing of development and infrastructure depends on the preparation of Precinct Plans, development take-up and development arrangements but an indicative chronology from the development approval date is intended to be:

- Stage 1 – 5 to 8 years
- Stage 2 – 7 to 12 years
- Stage 3 – 10 to 15 years

4.4 STAGES AND MASTER LOTS

To assist the financing and development of the Village, stages or parts of stages may be developed individually as Master Lots providing that the development and infrastructure staging objectives contained in Section 4.1 are not compromised.

STAGE	DEVELOPMENT	INFRASTRUCTURE
1	A. Mixed Village including the Town Square B. Northern Village Lots C. Northwest Village Housing D. North Mixed Village	1. Roundabout on Kyogle Road 2. Tweed River West Bridge 3. Mebbin National Park Road 4. Main Street 5. Village Green 6. Water storage and stormwater treatment 7. Sewer treatment plant and pump station
2	E. Northeast Village Lots F. Northeast Village Housing	8. Village Oval 9. Parking Area
3	G. Main Street Mixed Village H. Oval Village Housing I. River Village Housing J. Tourism Uses	10. Tweed River East Bridge 11. West Road 12. Kyogle Road parking area 13. Oval parking area 14. Market Garden 15. Tweed River footbridge 16. Market Garden footbridge

FIGURE 9
Development and Infrastructure Staging Plan

5. Nightcap Village Management

5.1 THE CONSTRUCTION OF NIGHTCAP VILLAGE

The construction of Nightcap Village including all roads, bridges and utility infrastructure is the responsibility of the owners and the Nightcap Village Owners Corporation.

5.2 RESPONSIBILITY FOR MAINTENANCE AND ONGOING MANAGEMENT OF INFRASTRUCTURE AND FACILITIES

The Nightcap Village Owners Corporation will be responsible for the on-going management and maintenance of infrastructure and facilities for the Village including:

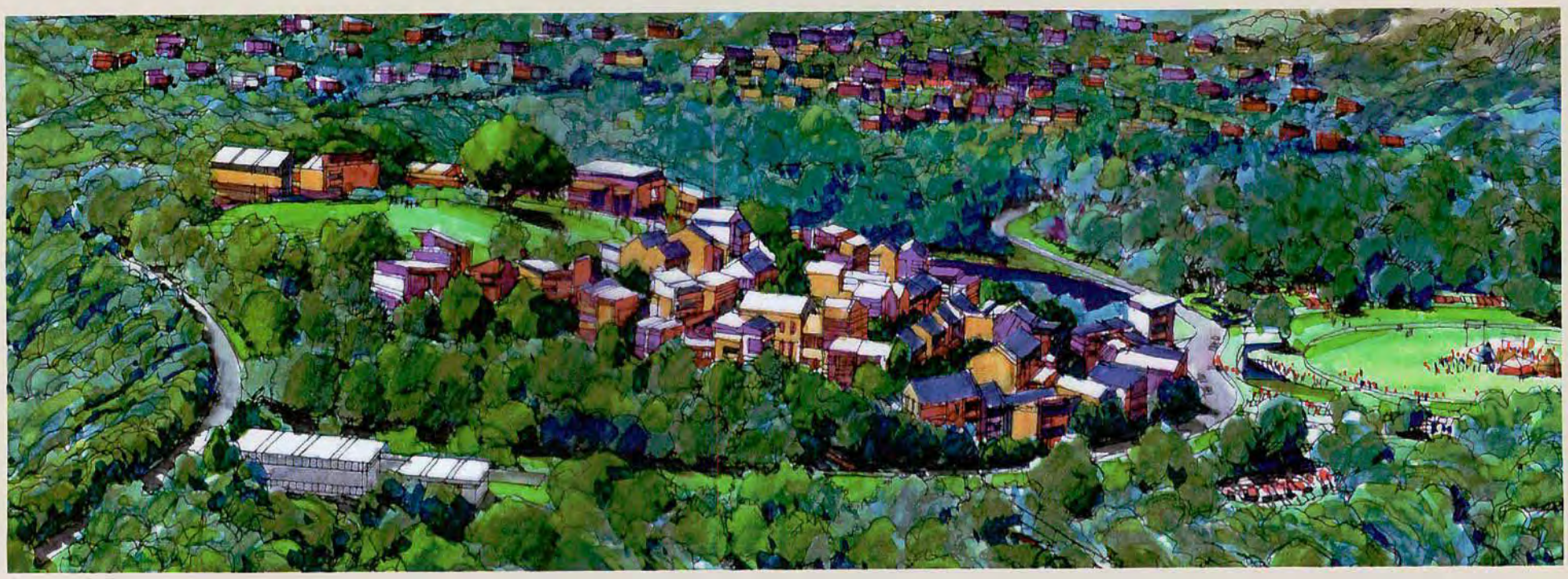
- All roads except the Mebbin National Park Road and Main Street as shown in **Figure 2**
- Pedestrian walkways, facilities and footbridges
- Sewer system reticulation, distribution and collection, pumping stations and the sewerage treatment plant
- Water reticulation and collection, pumping and water storage
- Stormwater retention devices, dams and water quality devices
- Parks and recreation facilities including the oval and the village green
- Environmental green space and rehabilitation areas
- Streetscape improvements including paths, trees and verges
- All land complementary to the Village including the market garden, woodlots for effluent disposal, water storage and ancillary easements
- Electricity and telecommunications facilities in accord with agreements with service providers
- Environmental monitoring as required by this DCP or conditions of development.

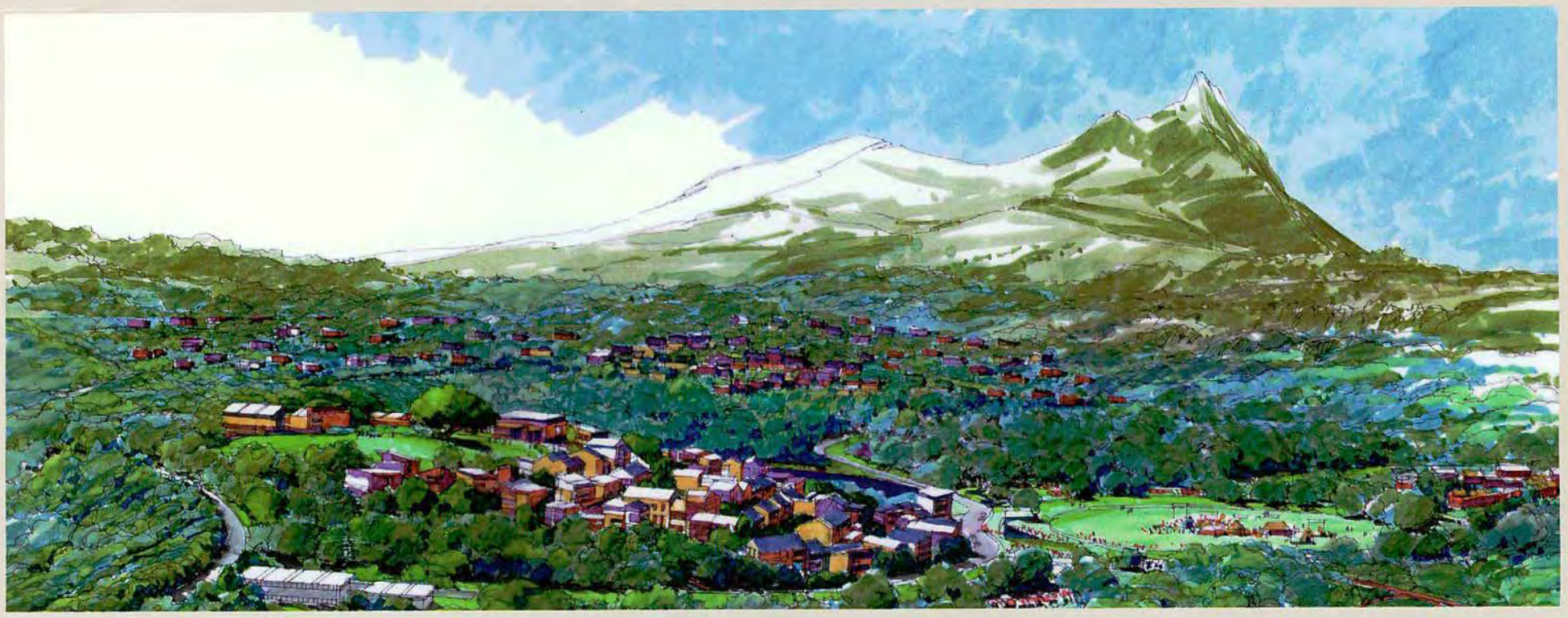
5.3 NIGHTCAP VILLAGE MANAGEMENT COMMITTEE

The development and on-going management of Nightcap Village will be overseen by an Advisory Committee.

The Advisory Committee will maintain community contact and interest in the project and representation would include:

- the landowner
- a developers representative
- a consultant representative
- a councillor of the Tweed Shire or councillor representative
- An officer of the Tweed Shire
- a community representative living in the vicinity.





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APPENDIX 2

Table of Nightcap Village Compliance with Relevant Provisions of the Tweed LEP 2000

Nightcap Village compliance with relevant provisions of the Tweed Local Environment Plan 2000

CLAUSE	PROVISION	RESPONSE
4 / AIMS OF THE PLAN		
4(a)	To give effect to the *Tweed Shire 2000+ Strategic Plan*	Nightcap complies with the vision and principles of the 2000+ Strategic Plan by retaining natural character promoting economic vitality, ecological integrity and developing the cultural fabric of the Shire. A detailed response to the Tweed 4/24 Plan is contained in Section 6 of this Volume.
4(b)	Provide the legal basis for the making of development control plans	The Nightcap proposal is a staged development application under section 83B of The Environmental Planning and Assessment Act 1979, which sets out concept proposals for the development of the site and for which detailed proposals for separate parts of the site are to be the subject of subsequent development applications. The concept proposals are presented in the form of a Draft Development Control Plan in accordance with the Tweed LEP.
4(c)	To give effect to the Tweed Shire 2000+ Strategic Plan	See 4(a)
4(d)	To encourage sustainable economic development compatible with the area's environmental and residential amenity	Addressed in the Socio-economic Impact Statement by Prosperous Places in Volume 2.
5 / ECOLOGICALLY SUSTAINABLE DEVELOPMENT		
5(a)	The precautionary principle	Detailed environmental and infrastructure studies including flora, fauna, flood, bushfire and water cycle management provide a sound, conservative basis for development.
5(b)	Inter-generational equity	Detailed environmental studies indicate that the proposal will not lead to long term environmental harm. Rehabilitation on-site including the Tweed River riparian corridor and conservation works on land adjoining the village will benefit the local environment.
5(c)	Conservation of biological diversity	Detailed environmental studies indicate that there is no threat to biological diversity on or adjacent to the site. Existing vegetation is to be retained and supplemented.
5(d)	Environmental costs (i) polluter pays (ii) users of service should pay for life cycle costs (iii) environmental goals should be pursued in the most cost effective way	Capital, environmental and development costs arising from the development such as roads, bridges, footpaths, water storage, collection, treatment and recycling, sewerage treatment and disposal, landscaping, artworks, and site rehabilitation will be fully funded by the proponent. Life cycle costs will be funded by the proponent and the Nightcap Village Body Corporation.
8 / CONSENT CONSIDERATIONS		
8(1)	Consent authority may grant consent only if: (a) It is satisfied that the development is consistent with the primary objective of the zone	The proposal is for a vibrant rural village which is entirely in keeping with the provisions of the 2(d) Village Zone. See clause 11 Zone 2(d) compliance details. Proposals for ancillary development in the 1(a) Rural Zone are allowable uses. See clause 11 Zone 1(a) compliance details.
	(b) It has considered other relevant aims and objectives of the plan	The proposal is consistent with other relevant aims and objectives of the plan as documented in this Appendix and in Volume 1.
	(c) It is satisfied that the development would not have an unacceptable cumulative impact on the community, locality, or catchment	Detailed studies indicate the Village will not have a detrimental cumulative impact and that the proposal has positive community benefits through care for the environment and economic and social benefits in an area of declining rural population and services.
8(2)	The consent authority may grant consent to uses in Item 3 of the Zone Tables only if need is demonstrated	There are no uses proposed that are listed in Item 3 of the 2(d) Village or 1(a) Rural Zones.

11 / ZONE 1(a) RURAL		
	Primary objectives - To enable the ecologically sustainable development of land that is suitable primarily for agricultural or natural resource utilisation purposes and associated development - To protect rural character and amenity	The development of Nightcap will, over time, see the greater use of adjoining land for community benefit – conservation and plantation forestry; woodlots for effluent disposal and conservation; use of the area adjacent to the town for the market garden; walking tracks, recreation, and camping for low key passive uses; will replace stock grazing activities over time. Refer to the report by Biolink on the integration of Nightcap Village with surrounding land use In Volume 2.
	Secondary objectives - To enable other types of development that rely on the rural or natural values of the land such as agri- and eco- tourism - To provide for development that is not suitable in or near urban areas - To prevent the unnecessary fragmentation or development of land which may be needed for long-term urban expansion - To provide non-urban breaks between settlements to give a physical and community identity to each settlement	Agri and eco-tourism is a primary objective for the rural land adjacent to Nightcap – see above. Adjacent rural land is proposed to house water storage, the sewerage treatment plant, effluent disposal areas and all associated easements. These uses need separation from Village uses. Subdivision of adjoining rural land is not proposed except to provide for ancillary uses as described above. Not applicable. Rural area between Uki and Kyogle
	Development within the 1(a) Zone Item 1 – allowed with consent: - Agriculture - Environmental facilities - Forestry Item 2 – allowed only with consent: - Bed and breakfast - Dwelling houses - Multi-dwelling housing - Any other buildings, works, places or land uses not included in Item 1, 3, or 4 Item 3 – allowed only with consent and must satisfy the provisions of clause 8 Item 4 – prohibited	Nightcap uses: - Market garden - Forestry for effluent disposal Not applicable. Not applicable. Not applicable. Includes the following in Nightcap Village: public utility undertakings for water storage, easements for water and sewer, sewerage plant. No uses proposed in this category. No uses proposed in this category.
	Zone 2(d) Village Primary objective - To provide for residential development and a full range of services and facilities traditionally associated with a rural village which is of a design and scale that makes a positive contribution to the character of the village	Nightcap principles mirror the primary objective of the zone.

	Development within the 2(d) Zone Item 1 – allowed with consent: - Environmental facilities Item 2 – allowed only with consent: - Bed and breakfast - Dwelling houses if each is on an allotment of at least 450m2 - Rural workers' dwellings - Any other buildings, works, places or land uses not included in Item 1, 3 or 4 Item 3 – allowed only with consent and must satisfy the provisions of clause 8 Item 4 – prohibited	Environmental facilities for Nightcap include boardwalks, observation decks, land vegetation and rehabilitation, erosion prevention. Applicable. Applicable. Not applicable. May include the following in Nightcap Village: boarding house (backpackers), car park, commercial premises, community building, display home, educational establishment, general store, home business, home industry, home occupation, hotel, integrated housing, light industry, market, multi-dwelling housing, outdoor eating area, place of assembly, place of public worship, public building, public utility undertaking, recreation area, recreation establishment, refreshment room (restaurant, café), reticulated sewerage system, rural industry, rural tourist facility, shop, tourist accommodation, tourist facilities, urban stormwater management facility, utility installation. No uses proposed for this category. No uses proposed for this category
14 / DEVELOPMENT NEAR ZONE BOUNDARIES		
	Objectives To provide land use flexibility where this is logical and appropriate …(3) Development that would otherwise be prohibited may, with consent, be carried out on land…if the development may be carried out in the adjoining zone	Bushfire protection zones are situated on the outside of 2(d) Village zone boundaries and there is a 50 metre residential development extension on the north side of Mebbin National Park Road where land is particularly suited to that purpose and is both logical and appropriate. The quid pro quo is revegetation and rehabilitation of land within the Village boundaries and large amounts of public and environmental open space within the Village site (more than 40% of the Village zone area).
15 / AVAILABILITY OF ESSENTIAL SERVICES		
	(2) Consent must not be granted to the carrying out of development on any land unless: (a) a water supply and facilities for the removal or disposal of sewerage and drainage are available for that land, or (b) arrangements satisfactory to the consent authority have been made for the provision of that supply and those facilities	Proper and environmentally responsible arrangements for water and sewerage supply, disposal and recycling have been proposed at the proponents cost. These facilities will be the subject of an ongoing monitoring program (refer Water Supply and Sewerage Assessment by Cardno in Volume 2).
17 / SOCIAL IMPACT ASSESSMENT		
	Objectives - To ensure proper consideration of development that may have a significant social or economic impact	The development of Nightcap Village will have a significant social and economic impact on the Nightcap/Kunghur locality. It will help arrest rural population and service decline and take some pressure off coastal growth. Social and economic impacts are detailed in full in the Social Impact Assessment contained in Volume 2. The Assessment addresses the requirement of DCP45 – Socio-economic impacts of development.

20 / SUBDIVISIONS IN ZONES 1(a), 1(b), 7(a), 7(d) and 7(l)		
	Objectives	
	- To prevent the potential for fragmentation of rural land	Apart from utility installations, no subdivision is proposed for the adjoining rural holding.
	- To protect ecological or scenic values	Ecology is protected in the proposal and the Village will have little impact on scenic values given its location in a natural bowl, riparian vegetation along the Tweed River and the limits of the 2(d) Village Zone.
	- To protect Tweed water supply quality	Water quality and resources will be protected by stormwater treatment and a self-reliant water supply and storage system.
22 / DEVELOPMENT NEAR DESIGNATED ROADS		
	Objectives	
	- To protect and improve the capacity, efficiency and safety of designated roads	The Village will add traffic to the Kyogle – Uki Road and the development must contribute a fair share to road upgrading (refer to the traffic assessment in Volume 2 by Cardno). A roundabout centred in Kyogle Road is proposed as an alternative to a "T" intersection for Village access for safety reasons. This would provide for access to Nightcap Village and the Mebbin Springs development. This proposal will need Council support and the consent of The Road Traffic Authority.
	- To prevent development on designated roads that would detract from scenic attractiveness	There is no built development proposed on the Kyogle Road and scenic amenity is protected by trees along the riparian zone along the Tweed River.
	- To prevent or reduce the impact of traffic noise	Proposed residential development will be a minimum of 70 metres from Kyogle Road and visually separated by existing trees in the riparian zone along the Tweed River.
24 / SET BACKS TO DESIGNATED ROADS		
	Minimum distance of 30 metres from a designated road to residential and other development	Minimum distance of 70 metres from Kyogle Road to residential uses.
31 / DEVELOPMENT ADJOINING WATERBODIES		
	Objectives	
	- To protect and enhance scenic quality, water quality, aquatic ecosystems, bio-diversity and wildlife habitat and corridors	A riparian buffer of at least 50 metres is proposed along the Tweed River in accordance with DCP 16 – Subdivision Manual. This buffer would be conserved and rehabilitated by the removal of weeds and planting of indigenous species (refer to the Ecological Assessment in Volume 2).
	- To provide adequate public access to waterways	A pathway/boardwalk is planned for the northern Tweed River Riparian corridor.
	- To minimise the impact on development from known biting midge and mosquito breeding areas	Nightcap is not a recognised midge or mosquito breeding area.

34 / FLOODING		
	Objectives - To minimise future potential flood damage - To minimise the adverse effect of flooding on the community	The proposal is to protect flood prone land adjacent to the Tweed River by inclusion in the Riparian zone. The only exception is a pocket of low land in the south western portion of the site which is intended to be raised to connect residential land on either side. Development will be in accordance with the requirements of DCP 5 – Development of Flood Liable Land (refer to the Flood Report by Cardno in Volume 2).
35 / ACID SULFATE SOILS		
		Not Applicable to the Site
39a / BUSHFIRE PROTECTION		
	Objectives - To minimise bushfire risk to built assets and people and to reduce threat to ecological and environmental assets	The Village site is identified as Bushfire Prone land (Vegetation Category 1 and Buffer Zones) in the Tweed Shire Bushfire Prone Land Map 1. Bushfire management recommendations and asset protection zones for buildings and environment areas follow the relevant provisions of DCP 16 – Subdivisions manual and are contained in the Bushfire Management Plan Report by Cardno in Volume 2.
40 / HERITAGE PROVISIONS		
		There are no identified heritage or conservation areas or items on the Village site.
44 / DEVELOPMENT OF LAND WITHIN LIKELY OR KNOWN ARCHAEOLOGICAL SITES		
		There are no known archaeological sites on or near the subject land. More detailed investigations will be required in the preparation of Precinct Plans.
52 / ZONE MAP OVERLAY PROVISIONS		
		The Village site is not affected by any LEP overlay provisions.

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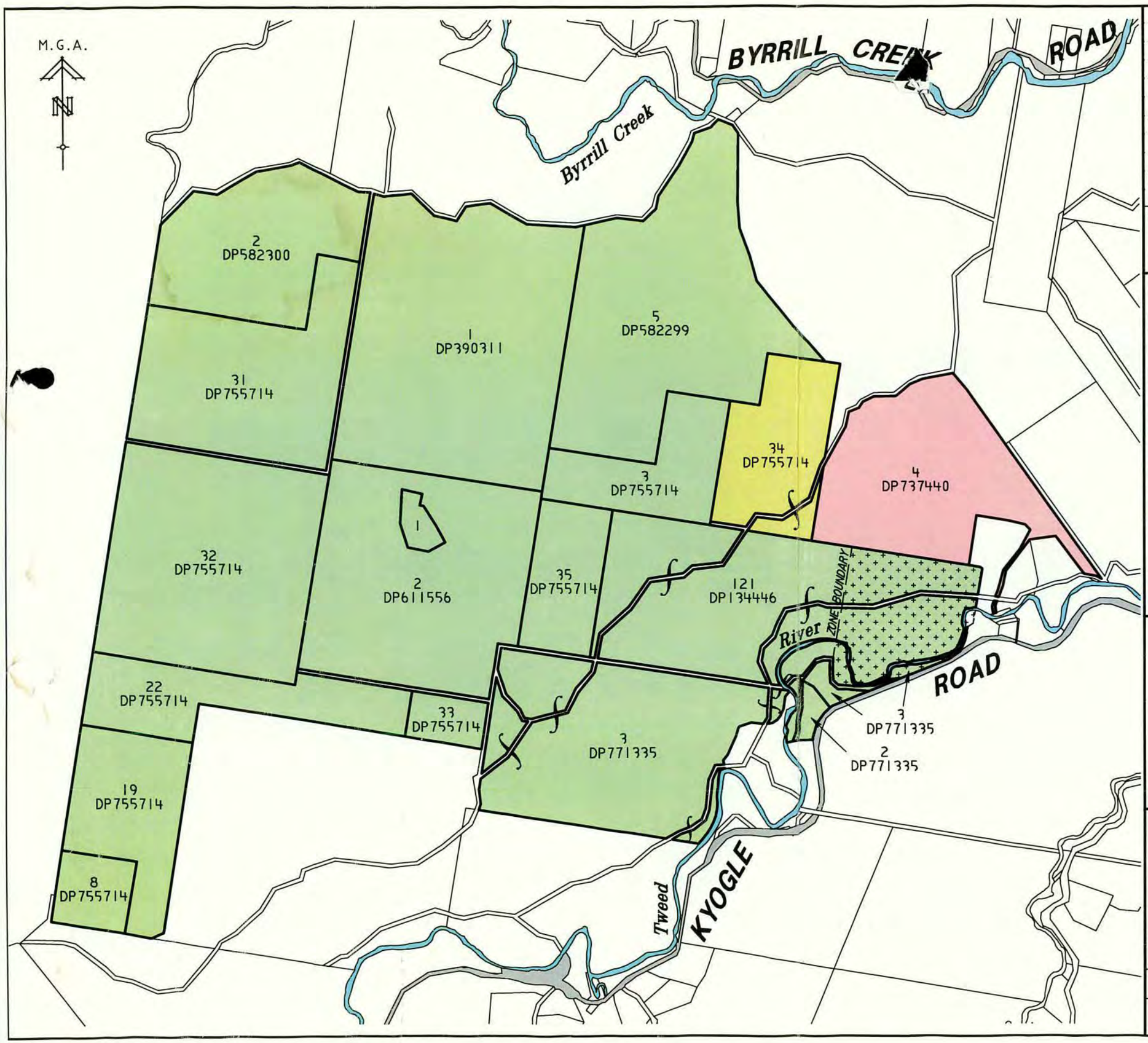
APPENDIX 3

Title Particulars of the Subject Land



Revision	Chk

Associate Consultants

URBAN SYSTEMS & CARDNO (QLD) PTY LTD

IMPORTANT NOTES :

THE TITLE BOUNDARIES SHOWN HEREON HAVE BEEN COMPILED FROM INFORMATION SUPPLIED BY TWEED SHIRE COUNCIL AND ARE FOR DIAGRAMATIC PURPOSES ONLY.

ALL PROPERTIES SHOWN SHADED HEREON ARE ZONED 1(a) RURAL UNDER THE T.L.E.P.2000 UNLESS OTHERWISE INDICATED.

DENOTES LAND ZONED 2(d) VILLAGE UNDER THE T.L.E.P.2000.

REGISTERED PROPRIETOR – ZIMMER LAND PTY LTD

REGISTERED PROPRIETOR – KEMPCOVE PTY LTD

REGISTERED PROPRIETORS –
ANDRE STAFLEU
FLORIAN ALEXANDRE STAFLEU
INGRID COSIMA STAFLEU
PETER ANTHONY VAN LIESHOUT

PLAN SHOWING OWNERSHIP AND ZONING DETAILS

FOR PROPOSED SUBDIVISION OF LOT 121 IN DP134446

Parish of GOONINBAR/KUNGHUR County of Rous

B & P SURVEYS
CONSULTING SURVEYORS
A.C.N. 010117236
142 Muwillumbah Street
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Tweed Heads Ph.(07)55363611
A QUALITY ASSURED COMPANY

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TWEED SHIRE COUNCIL

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REC 0150 | 06

BAY 1 - SECTION 2 SHELF

APPLICATION NO DA 06/1054 P+1

RELATED FILE NOS DA 2970/2265.

SCANNED

PROPERTY ADDRESS 2954 KYOGLE ROAD KUNGHUR LOT 121 Dp134446 LN:39731 CONCEPT PROPOSAL FOR

DEVELOPMENT TYPE A RURAL VILLAGE UNDER SECTION 83(B) OF THE EP&A ACT - NO PHYSICAL WORKS PROPOSED

NO	REFERRED TO	DATE	ACTION OFFICERS INITIALS

NO	REFERRED TO	DATE	ACTION OFFICERS INITIALS

Keep with Part A

APPLICATION NO

FILE CLOSED

REFER TO

PT 2

NIGHTCAP VILLAGE
a masterplanned rural village

Volume 2
Technical Reports

Prepared for Nightcap Village Pty Ltd by

Oakland Properties / Urban Systems / Malcolm Middleton Architects / Cardno / EDAW / Biolink / Prosperous Places / Three Plus

August 2006

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Volume 2
Technical Reports*

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2. **SOCIO-ECONOMIC IMPACT ASSESSMENT FOR NIGHTCAP VILLAGE**
   Derek Kemp, Prosperous Places - 2006
3. **ECONOMIC AND EMPLOYMENT NEEDS REPORT FOR NIGHTCAP VILLAGE**
   Derek Kemp, Prosperous Places - 2006
4. **GEOTECHNICAL REPORT - NIGHTCAP VILLAGE MEBBIN**
   Australian Soil and Concrete Testing P/L - 2006
5. **NIGHTCAP VILLAGE ECOLOGICAL ASSESSMENT**
   Cardno - 2006
6. **NIGHTCAP VILLAGE FLOOD STUDY**
   Cardno - 2006
7. **NIGHTCAP VILLAGE BUSHFIRE MANAGEMENT PLAN**
   Cardno - 2006
8. **STORMWATER MANAGEMENT PLAN**
   Cardno - 2006
9. **CULTURAL HERITAGE SEARCH**
   Davies Heritage Consultants - 2006
10. **NIGHTCAP VILLAGE ENVIRONMENTAL MANAGEMENT PLAN**
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11. **NIGHTCAP VILLAGE EARTHWORKS MANAGEMENT PLAN**
    Cardno - 2006
12. **NIGHTCAP VILLAGE INVESTIGATION OF WATER SUPPLY AND EFFLUENT DISPOSAL OPTIONS**
    Cardno - 2006
13. **NIGHTCAP AT MISTY MOUNTAIN - TRAFFIC STUDY**
    Cardno Eppell Olsen - 2006
14. **TELECOMMUNICATIONS REGISTRATION**
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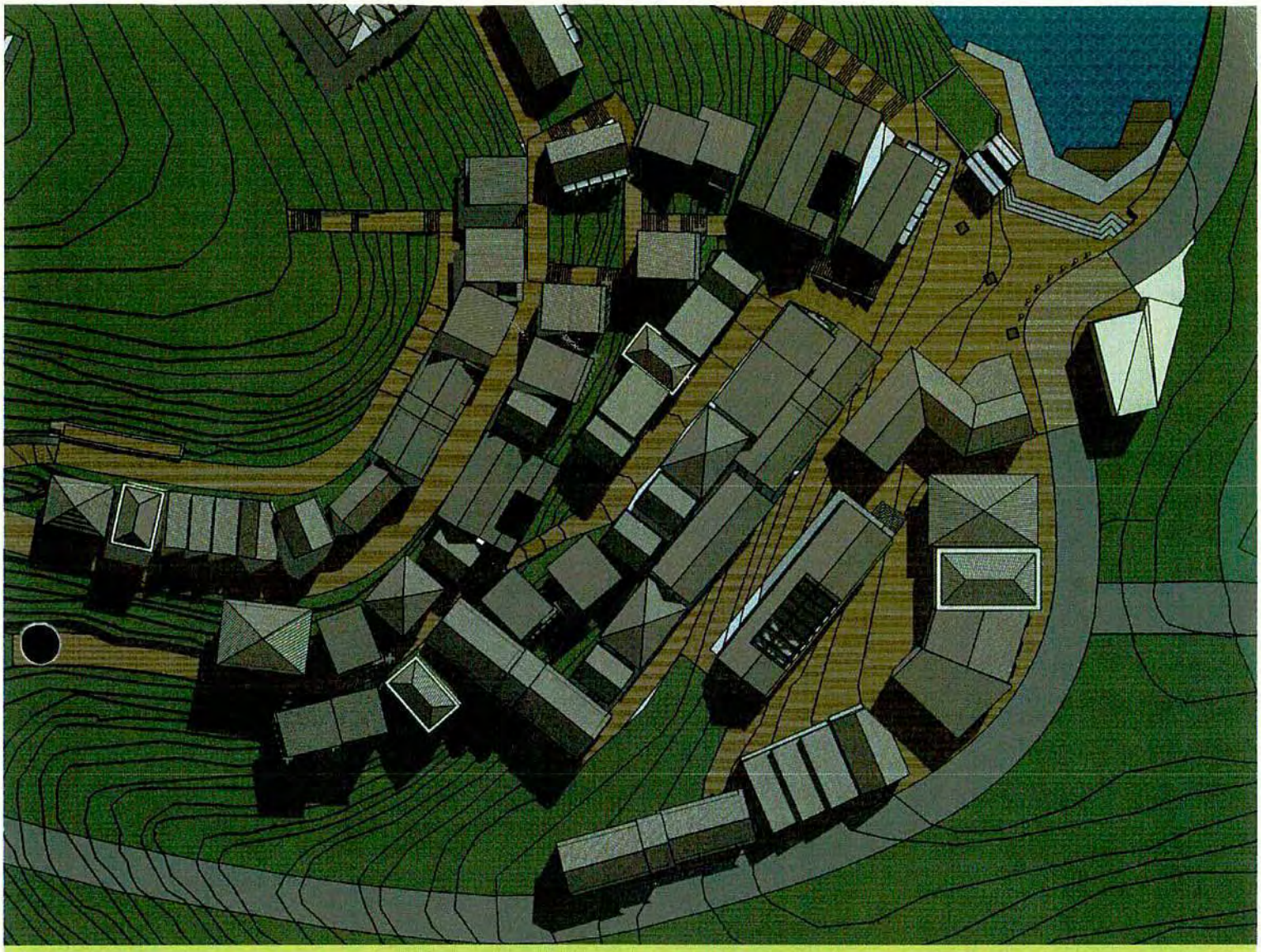
16. **NIGHTCAP VILLAGE INTEGRATION OF VILLAGE CONCEPT WITH THE SURROUNDING LAND**
    Biolink Pty Ltd - 2006
17. **COMMUNITY ENGAGEMENT FOR THE PROPOSED NIGHTCAP VILLAGE**
    Three Plus Pty Ltd - June 2006

* *REPORTS ARE LISTED IN ORDER OF REFERENCE IN VOLUME 1*

1. URBAN DESIGN AND VISUAL ASSESSMENT REPORT FOR NIGHTCAP VILLAGE

Malcolm Middleton Architects - 2006



NIGHTCAP VILLAGE

'Jrban Design and Visual Assessment Report

prepared by
Malcolm Middleton Architects

August 2006

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Urban Design Statement

01

1.1 INTRODUCTION

The design approach for the Nightcap Village project is strongly motivated by the unique opportunity the site presents to deliver a design driven dividend for the landowners, the local area it serves and the region it connects with.

Additionally the project has the potential to illustrate that best practice community outcomes are capable of being established where good urban design principles underpin the design approach to the site.

These outcomes include:

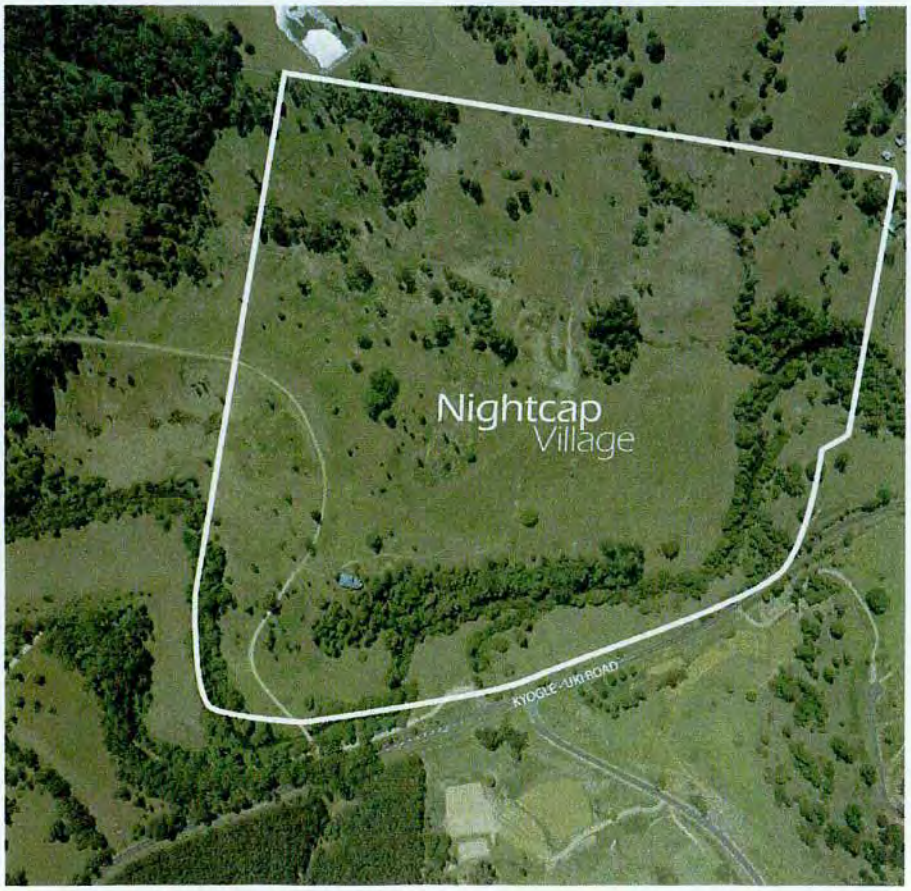
/ A better quality of life for communities

/ Safe and secure living

/ Enhanced public health and social equity benefits

/ Enhanced land values

/ An increase in the sustainable use of non renewable resources



1.2 PROJECT VISION

The proposal to develop a new rural village on land designated for urban use on the subject site is an exceptional opportunity to deliver a contemporary new community. The design responds to the unique nature of the subject site, the aspirations of planning and environmental controls, and the wider social and economic context of the landholding in a genuinely innovative manner.

Seldom is land available with the appropriate zoning and commercial realisation potential that can offer the opportunity to create an appropriate urban form for contemporary without constraints imposed by past practices and infrastructure (hard and soft).

Nightcap Village is such an opportunity.

The project is intended to deliver a new local community that provides access to and services for a substantial land holding and general community area currently in private ownership.

The village provides an opportunity to re-establish a scale of settlement characteristic of the development pattern of the Northern NSW hinterland. This community can benefit from contemporary communications standards and social patterns as well as enhanced access opportunities for healthy lifestyle support and employment.

The site has significant potential to demonstrate contemporary environmental values as well as social and employment options away from the now established coastal drift.

These outcomes have a greater chance of being achieved if an integrated approach to the urban design of the place is undertaken through the establishment of the initiatives outlined in the balance of this report.

The Establishment of Local Character

02

2.1 INTRODUCTION

The Nightcap project is conceived to have a distinctive identity developed from a considered interaction of site context, built form, landscape, local amenities, activities and access.

2.2 BUILT FORM

/ The built form of the project will respect the predominantly warm temperate / sub tropical climate of the location and will contribute to the local landscape context by providing a relaxed outdoor lifestyle approach.

/ Built form will be human scale and will relate well to the ground and the scale of streets and pathways.

/ Buildings will respect the principles of variety, and articulation and will encourage the use of local materials, building techniques and local skills.

2.3 OPEN SPACE

/ The open space provisions at Nightcap Village will deliver a movement network which has a managed interconnected street network that clearly establishes good internal and external access for residents, maximizes safety, encourages walking and cycling and minimizes the impacts of traffic interfaces.

/ The open space system will provide a network of well distributed open space and recreation areas connected with landscaped streets and walkways that offer a variety of safe, appropriate and attractive public open spaces.

/ The public open space will contribute to the legibility and character of the development in a cost effective and visually connected manner.

/ The open space network will deliver an emphasis on the central area connections within the site to maximise the access in and around the village.

2.4 EMBEDDED ESD PRINCIPLES

/ The design of the village will utilize embedded ESD principles that embrace but are not limited to:

/ Encouraging the most efficient use of water

/ The reduction of greenhouse emissions produced from water heating.

/ The reduction of greenhouse emissions produced from household heating and cooling.

/ The reduction of greenhouse emissions produced from public area lighting.

2.5 PRECINCT PLANS AND COVENANTS

/ Precinct Plans will establish the parameters for sub precincts and buildings, heights, setbacks, buildingtype and design form.

/ The Design Guidelines will seek to create built form outcomes that allow for individual expression whilst maintaining an overall village compatibility of character through form, scale, materials and design expression.

/ Individual buildings will be developed utilising a considered set of covenants and design codes to control final built form.

/ This approach aims to promote high quality design standards throughout the village that will reinforce a sense of community and will encourage environmentally sound design practices.

/ The Guidelines will promote confidence and realistic future expectations of the development standards throughout the project

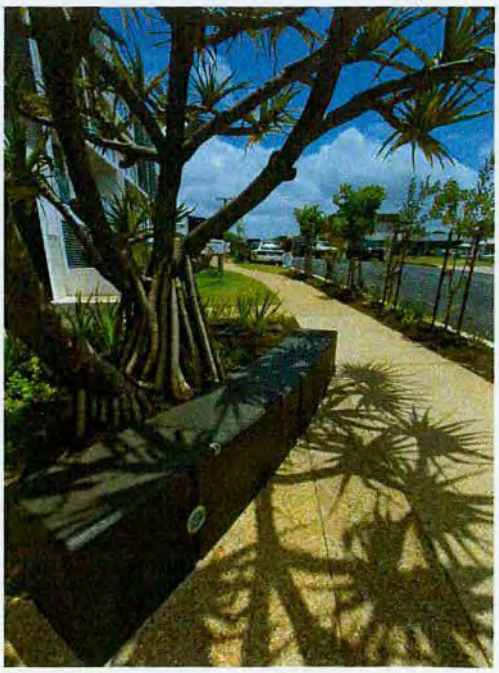
2.6 PUBLIC ART STRATEGY

A Public Art Strategy will be developed for the village and the village precincts. Execution will be provided for within the covenants agreed for the village and the development conditions that apply for each site.

2.7 STREETSCAPE STRATEGY

/ Development of the Tweed River Bridge entry and a Main Street running down to the sports field will provide a significant green space associated with vehicular and pedestrian movement within the site. The scale of this connection will enable substantial vegetation to be incorporated within the streetscape, providing a green visual and physical corridor.

/ The subsequent development of streetscapes for the lower density areas of the site will follow similar principles of low key landscaped spaces that blend with the scale and form of the residential development.



The Creation of a Highly Connected Local Place 03

3.1 INTRODUCTION

The new village will deliver high quality spaces and access routes that residents and visitors find safe and enjoyable to use. The town will establish a walkable environment in a mix of facilities and landscaped settings.

3.2 STREET HIERARCHY AND ROAD NETWORK

/ The street hierarchy for the project is conceived to deliver strong access and connection to the two principle open spaces within the village: the Village Green on top of the hill and the sports / community field and Town Square at the base of the hill.

/ The next level of streets are connected back into the main loop of the village ensuring alternate access routes are available throughout the village.

3.3 PEDESTRIAN AND BICYCLE NETWORK

/ The open space system will establish an integrated pedestrian path network principally using the street network but also utilizing and linking open space corridors as greenways or utilizing dual use drainage corridors and parks.

/ The open space system will establish multiple opportunities for pleasant, safe and direct pedestrian and cyclist movement both within the subdivision and linking to other major local destinations.

The Careful Establishment of Site Densities

04

4.1 INTRODUCTION

The design of the village will deliver a range of densities that establish cost savings in land, infrastructure and energy, whilst delivering high amenity and accessible green spaces throughout the village.

Additionally the village will encourage internal physical activity and promote social connectedness and vitality.

4.2 DIVERSITY OF FORM

/ The village will be designed to establish a sense of community through the provision of a sense of identity.

/ A diversity of housing types is established to enable people from a wide range of economic levels and household sizes to live within the village.

The Establishment of a Mixed Use Core Area (Mixed Village Precinct)

05

5.1 INTRODUCTION

The creation of central focus area of mixed uses with good connections to all parts of the village will allow parking and general infrastructure to be used more efficiently, increase the economic vitality of the local shops, promote physical and social well being and develop a local identity important for economic success. This will establish:

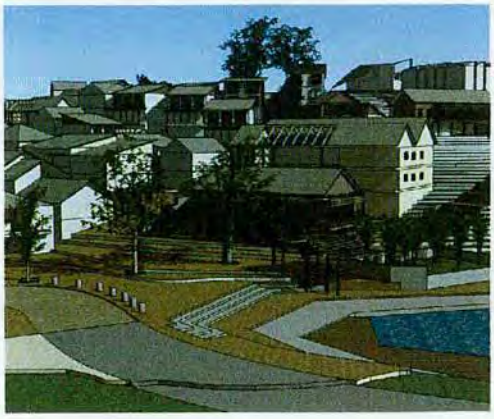
/ Variety of buildings - residential (small lots, town houses, units up to three storeys, commercial, shop top and other forms built to Main Street frontage and up to three storeys).

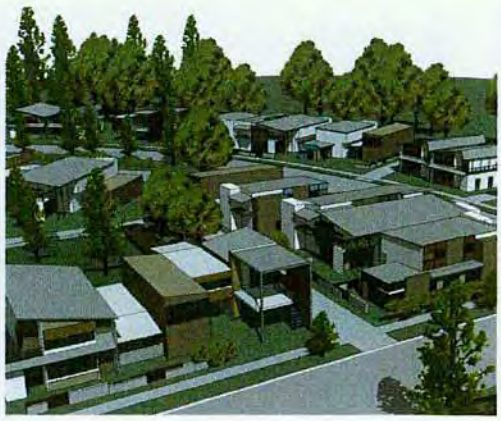
/ The central area of the village will promote uses for retail, food and beverage, offices, display, exhibition, and clean quiet industrial uses for value adding enterprises.

/ The mixed use area will provide the administrative centre for the village and support facilities for the ancillary conference and convention area.

/ The village centre will be the focus for tourism visitation and services as well as the base for outdoor uses on the balance of the site and surrounds.

/ The urban form will respect the hillside site and provide for a benching into the hill to maintain land form, view and aspects to and from the site. The sloping landform is considered a major design opportunity to create local character and amenity.





The Creation of a High Quality Public Realm

06

6.1 INTRODUCTION

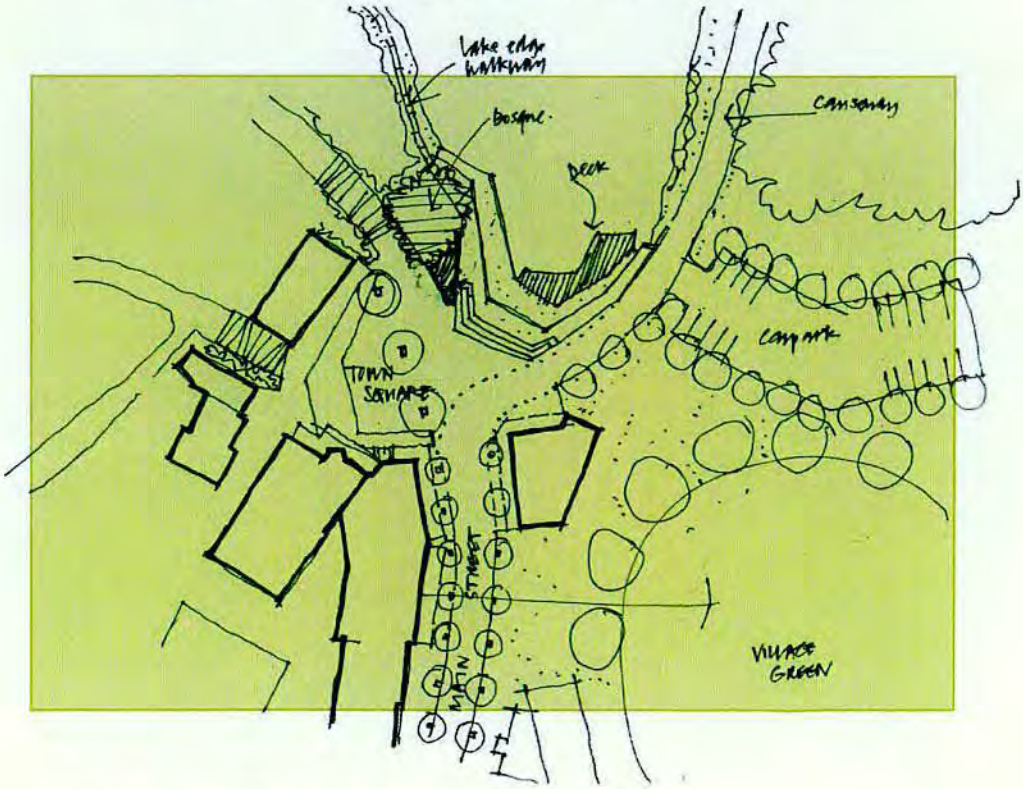
This core value creation will result in an increase in the use of public space and associated business, promote the values of the village to a wider community encouraging visitation and economic diversity, and establish a base for greater community and cultural activities.

6.2 ENTRIES, PLACE MARKERS AND ACCESS

/ The calibre of the character of the Public Realm will be substantially enhanced by the development of streetscapes and townscapes appropriate to the scale and nature of the urban structure and the amenity being accessed.

/ Casual surveillance will be encouraged in the open space design concepts and will be achieved through such devices as access to parks from streets and pedestrian access ways and the orientation of adjacent lots to overlook open space areas.

/ Greenway linkages in the form of linear landscaped pathways and parks are encouraged as an appropriate form for the existing pattern of development and contribute to the character of the public realm of the development.



APPENDIX A

VISUAL ASSESSMENT REPORT

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Introduction

This statement responds to the requirements of DCP 16 - Subdivision Manual for the provision of a Visual Assessment study. This report deals with these issues and proposes an approach to each area of interest in the realisation of the Nightcap Village Community.

1.1 SUMMARY

/ The Nightcap Village Community will not visually impact the ridges and hilltops in the area of the site.

/ Replanting of the steep slope below Mebbin National Park Road.

/ Some upper slope areas on site will be visible within the site from lower positions.

/ Limited parts of some sites will be on land that has a greater than 30% slope.

/ The majority of the site will be visually screened to the road by riperian vegetation along the Tweed River.

It is proposed that the re-establishment of riverine trees to selected locations, the establishment of site specific building envelope areas, the determination of environmental covenant areas and the limitation of planting on sites to a list of accepted species will enhance and mitigate on site impacts created by the project in the short term, and enhance the site in the long term through visual continuity.

This maintenance of visual continuity will be delivered through:

/ Planting street trees and general landscape treatment of the road reserves.

/ Replanting currently bare hilltop areas.

/ An integrated design approach, to a high level of execution, embracing engineering, environmental, architectural planning and landscape design guidelines.

/ Minimised earthworks for road construction.

/ Retention of known watercourses and significant individual trees.

/ The establishment of stepped building forms on sloping land.

Overview

02

The Nightcap Village project is planned to be an integrated and fully designed residential community in the Tweed Shire.

A fundamental aim of the Nightcap Village project has been to achieve the incorporation of significant view corridors from within the site to Mt Warning and the Nightcap range.

This residential community design responds carefully to the site topography and the local environment. The project masterplan is based on a design that meets the needs of the natural and man made environment through integration of the natural attributes and topography of the site with the requirements for access and construction.

The Site Master Plan has provided for the establishment of extensive open space areas which respect view corridors, and stands of native vegetation in the establishment of new village areas on site.

Broad Context

03

The site is located along the Murwillumbah - Kyogle Road in the upper Tweed River valley with prominent local mountain formations and the Tweed River surrounding the site. Although the site contains areas of intermediate height, these have no vegetation cover. The view aspects into the site are severely limited in the immediate near context. In the broader context the elevated areas of the site form part of an even more elevated landscape seen from more distant vantage points.

To the south, the site may be seen briefly from the road and some surrounding properties. From the north, most of the site is not visible.

General Overview of Impacts

04

A combination of development on selected parts of the internal higher land areas and slopes, balanced with increased riverine forest area will allow the usual impact of the site to be significantly unaltered.

The development proposal will have some initial visual impact on areas that have previously been cleared through the establishment of the road system.

The staging of the development combined with the progressive development of an integrated landscape theme will absorb the visual increase of site density into a coherent landscape. The scale of the surrounding mountain areas combined with the screening of the riverine vegetation and the natural built form of the site allows the delivery of a cohesive visual impact both from outside and within the site.

A detailed visual analysis will be prepared when Precinct Plans are undertaken.

Mitigation

05

It is proposed that the re-establishment of intermediate high ground trees and the establishment of site specific building envelope areas against areas of protected landscape will ensure the integration of the visual impact of the overall site development. Specifically, this will occur through the following strategies.

5.1 PLANTING OF ROAD RESERVES

The overall impact of streets and road networks on the site will create the opportunity for significant investment in the public realm through the landscape strategy in the streets. It is proposed that street landscaping will incorporate establishment of short term planting with quick growing indigenous species, combined with native grasses and turf areas to provide rapid stabilisation from erosion risk and provide a 'green' cover to earthworks. This will be developed in conjunction with longer term planting of permanent street trees and feature planting in key areas across the site.

5.2 MINIMISATION OF SITES WITH SLOPES GREATER THAN 30%

The sites for development are substantially contained on land with slopes of less than 30%. However in a number of locations greater slopes exist and will be substantially dealt with by the limitation of building envelopes away from these steeper site areas.

5.3 INTEGRATED DESIGN APPROACH

The Nightcap Village community is proposed to have a high level of integrated design. This includes the integration of engineering, environmental, architectural community and landscape design principles in the development of the Site Master Plan as currently proposed.

5.4 MINIMISE EARTHWORKS FOR ROAD CONSTRUCTION

A careful analysis of the civil engineering requirements for road access has been undertaken. This has resulted in the location of roads being carefully established to provide for minimal earthworks in most locations.

5.5 RETENTION OF WATERCOURSES

This approach has formed the basis of the overall design layout for the community with all watercourses being preserved to cater for stormwater and overland flow and to enable preservation of existing site vegetation and additional planting.

5.6 STEPPED BUILDING FORMS ON SLOPING LAND

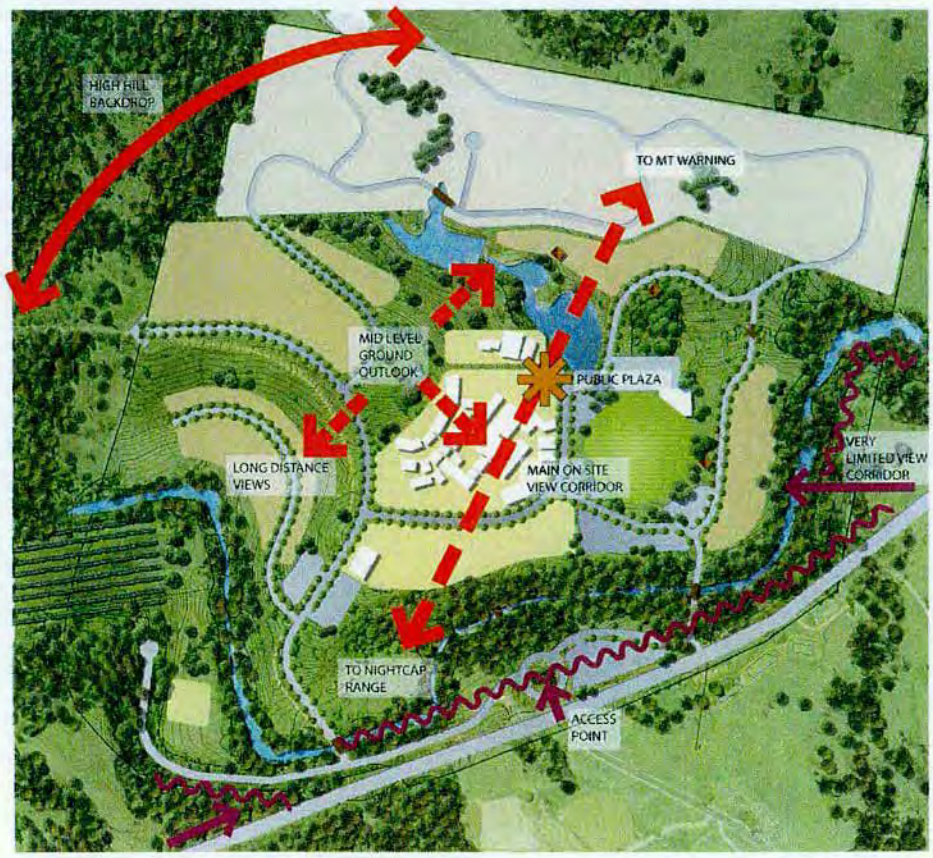
The approach for the design throughout the community has been established to limit, cut and retaining forms on individual sites and encourage the development of stepped building forms, particularly in the mixed village precinct.

5.7 GENERAL SITE LAYOUT

The layout of streets is designed to restrict the amount of cut and fill and retaining structures will be reviewed similarly to minimize visual impact. The overall development of building covenants for the site will ensure the final built form pays careful attention to the nature of materials, colours, form and the relationship of car accommodation to houses as a visual impact on the site.

5.8 VIEW CORRIDORS

Significant view corrdors from parts of the site up to the elevated areas exist. The Concept Plan has been carefully structured to maximise onsite outlook to these areas of high amenity and consequently minimise the visual interference within these areas.



Overall Conclusion

06

The Nightcap Village community has developed a balanced environmental approach to site planning. The overall context of preservation of view corridors has been provided in the Concept Plan.

Some short to medium term visual integration will be desirable on the higher parts of the site for lands facing south east., and to a lesser extent some of the slopes of the site looking to the south and west. These impacts have been recognized and mitigation strategies developed to provide for the the visual integration of the new built form.

The impact in the short term in this broad context is therefore considered acceptable and, in the long term strongly positive with the provision of a balanced and rehabilitated development adjoining environmentally sensitive land. The overall living amenity achieved will be of the highest standard.

APPENDIX B

BASIX COMPLIANCE - DCP 39
- DCP 6
- SEPP 65